

91st Congress }  
2d Session }

COMMITTEE PRINT

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COMMITTEE ON PUBLIC WORKS  
HOUSE OF REPRESENTATIVES



LEGISLATIVE HISTORY  
NINETY-FIRST CONGRESS

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adjourned December 23, 1969

2nd Session: Convened January 19, 1970;  
adjourned January 2, 1971



JANUARY 1971

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WASHINGTON : 1971

COMMITTEE ON PUBLIC WORKS

HOUSE OF REPRESENTATIVES

NINETY-FIRST CONGRESS

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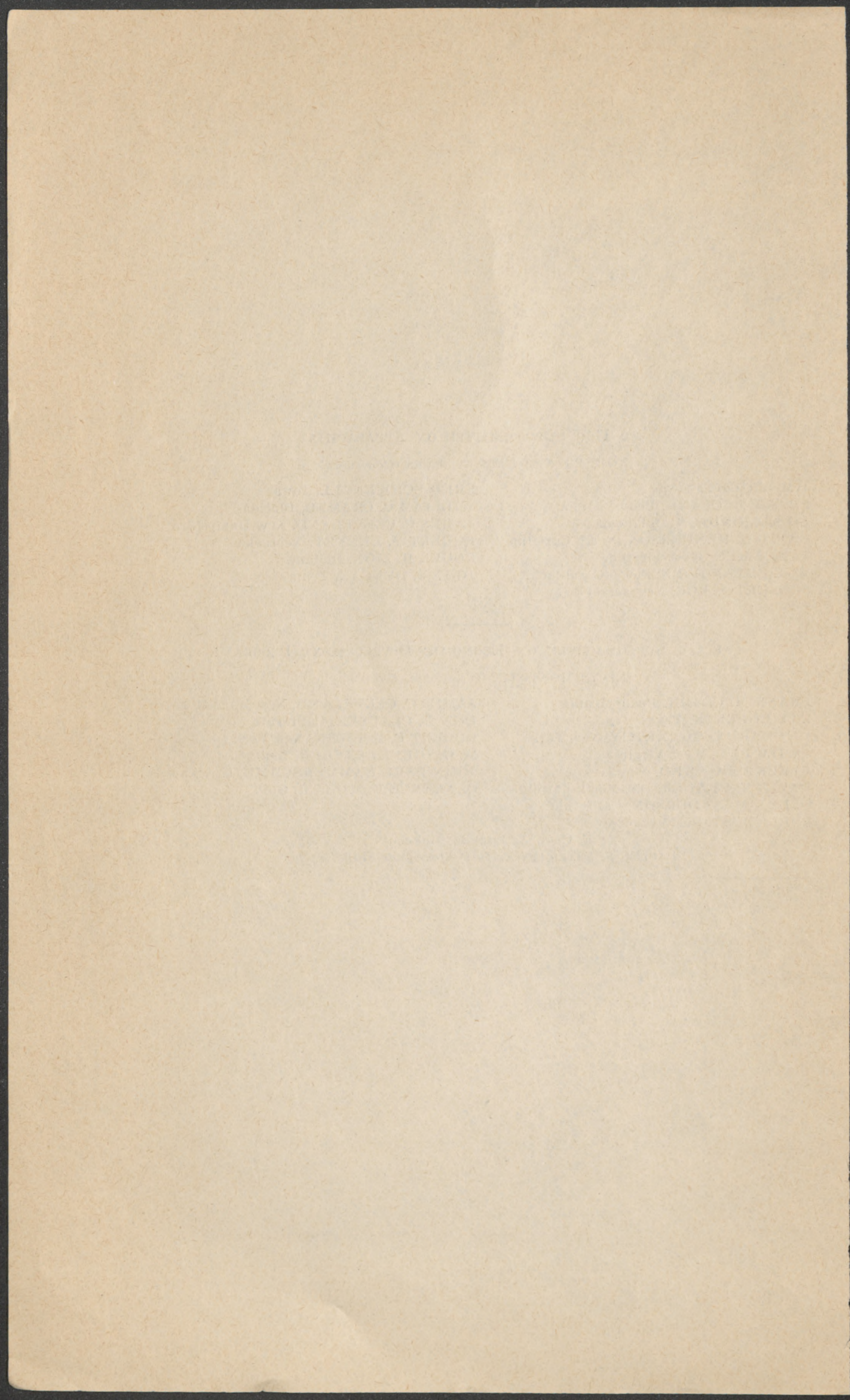
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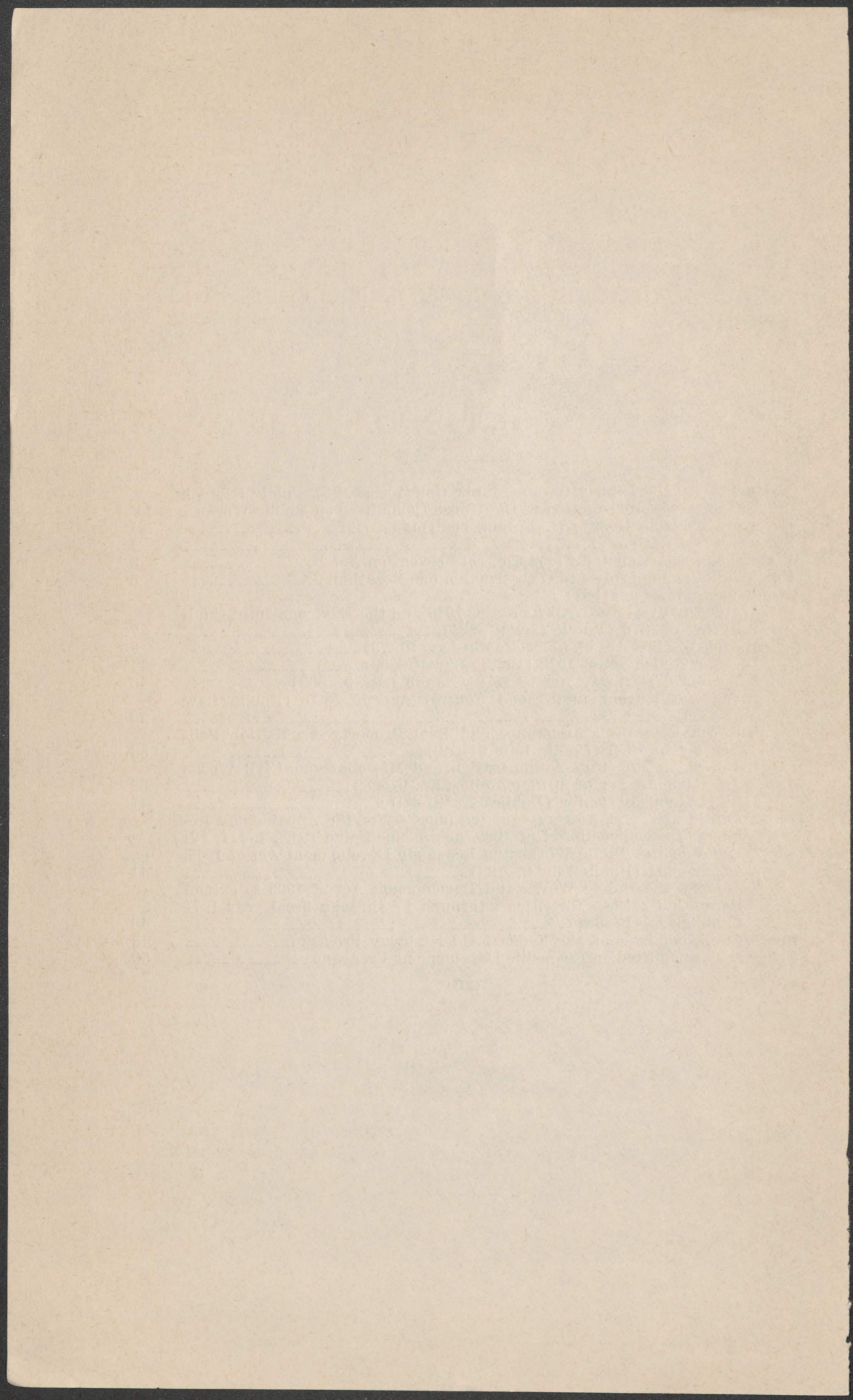
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EXTRACTS FROM THE "LEGISLATIVE REORGANIZATION  
ACT OF 1946," PUBLIC LAW 60, 79TH CONGRESS—JURIS-  
DICTION OF THE HOUSE COMMITTEE ON PUBLIC  
WORKS

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(b) Rule XI of the Rules of the House of Representatives is amended to read as follows:

"RULE XI

"POWERS AND DUTIES OF COMMITTEES

"(1) All proposed legislation, messages, petitions, memorials, and other matters relating to the subjects listed under the standing committees named below shall be referred to such committees, respectively: *Provided*, That unless otherwise provided herein, any matter within the jurisdiction of a standing committee prior to January 2, 1947, shall remain subject to the jurisdiction of that committee or of the consolidated committee succeeding generally to the jurisdiction of that committee.

\* \* \* \* \*

"(o) Committee on Public Works.

- "1. Flood control and improvement of rivers and harbors.
- "2. Public works for the benefit of navigation, including bridges and dams (other than international bridges and dams).
- "3. Water power.
- "4. Oil and other pollution of navigable waters.
- "5. Public buildings and occupied or improved grounds of the United States generally.
- "6. Measures relating to the purchase of sites and construction of post offices, customhouses, Federal courthouses, and Government buildings within the District of Columbia.
- "7. Measures relating to the Capitol Building and the Senate and House Office Buildings.
- "8. Measures relating to the construction or reconstruction, maintenance, and care of the buildings and grounds of the Botanic Gardens, the Library of Congress, and the Smithsonian Institution.
- "9. Public reservations and parks within the District of Columbia, including Rock Creek Park and the Zoological Park.
- "10. Measures relating to the construction or maintenance of roads and post roads, other than appropriations therefor; but it shall not be in order for any bill providing general legislation in relation to roads to contain any provision for any specific road, nor for any bill in relation to a specific road to embrace a provision in relation to any other specific road."

(IX)

## COMMITTEE PROCEDURE

SEC. 133. (a) Each standing committee of the Senate and the House of Representatives (except the Committees on Appropriations) shall fix regular weekly, biweekly, or monthly meeting days for the transaction of business before the committee, and additional meetings may be called by the chairman as he may deem necessary.

(b) Each such committee shall keep a complete record of all committee action. Such record shall include a record of the votes on any questions on which a record vote is demanded.

(c) It shall be the duty of the chairman of each such committee to report or cause to be reported promptly to the Senate or House of Representatives, as the case may be, any measure approved by his committee and to take or cause to be taken necessary steps to bring the matter to a vote.

(d) No measure or recommendation shall be reported from any such committee unless a majority of the committee were actually present.

(e) Each such standing committee shall, so far as practicable, require all witnesses appearing before it to file in advance written statements of their proposed testimony, and to limit their oral presentations to brief summaries of their argument. The staff of each committee shall prepare digests of such statements for the use of committee members.

(f) All hearings conducted by standing committees or their subcommittees shall be open to the public, except executive sessions for marking up bills or for voting or where the committee by a majority vote orders an executive session.

## FOREWORD

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The Committee on Public Works reports herein on its activities during the 91st Congress. First, there are (1) a list of measures considered and approved by the committee and enacted into law; and (2) bills approved by the House but not acted upon by the Senate.

These lists are followed by summaries of the principal provisions of the major laws of national interest and effect. Finally, there are contained herein reports on the activities of the Special Subcommittee on the Federal-Aid Highway Program and the Special Subcommittee on Economic Development Programs.

The committee had 660 bills for consideration during the first and second sessions of the 91st Congress, which were introduced or cosponsored by 394 individual Members. They deal with such subjects as navigation improvements, flood control, water pollution, environmental control, beach erosion control, hurricane protection, disaster relief, highways and highway safety, public buildings, land conveyances, watershed development, water supply, public works and economic development, Appalachian regional development, and uniform relocation and land acquisition policies.

Reported by the committee were 38 bills, 33 of which have been enacted into law. In addition, the committee adopted 62 river and harbor survey resolutions, 12 beach erosion survey resolutions, and 57 flood control survey resolutions. These resolutions authorized survey studies by the Corps of Engineers, Department of the Army, that will ultimately result in the submission of project reports to Congress.

The committee approved 36 projects pursuant to the provisions of section 201 of the Flood Control Act of 1965 which permits the Committees on Public Works to authorize, without additional congressional action, water resource development projects under \$10 million. Fourteen flood control projects, 18 navigation projects, and four beach erosion projects were authorized by this procedure.

The major bills which are described in more detail later are as follows:

*The Water Quality Improvement Act of 1970 and the Environmental Quality Improvement Act of 1970.*—This legislation made further important changes in the water pollution program. It broadened the scope of the enforcement provisions of the act by establishing control over cleanup of oil pollution; regulating disposal of waste material from small boats; and required that those who seek a license or permit for the use of the Nation's waters for nuclear powerplants, steam powerplants or other use of such navigable waters must establish that those operations will not lower the water pollution standards of the rivers of the particular States. This legislation also covered many other aspects of the field of water pollution.

*Disaster Relief Act of 1969.*—This act provides additional assistance for the reconstruction of areas damaged by major disasters occurring after June 30, 1967, and on or before December 31, 1970.

*Disaster Relief Act of 1970.*—This legislation establishes an entirely new basic Federal disaster relief law and repeals all of the major substantive provisions dealing with this subject which were on the statute books. This legislation takes into consideration the experiences which have been gained over the years in helping the States and local communities reestablish themselves after major disasters. Included in the legislation are provisions for State disaster plans, use and coordination of relief organizations and Federal agencies, debris removal, temporary housing assistance, small business disaster loans, Farmers Home Administration agency loans, assistance to communities for loss of tax revenues, repair and replacement of State and local government facilities, and other additional Federal assistance.

*The Federal-Aid Highway Act of 1970.*—This legislation, among other things, authorizes an extension of the Interstate System construction through 1976 and authorizes the A-B-C highway program and other related programs for fiscal years 1972 and 1973. It establishes an urban system for metropolitan areas, the first major system addition since the creation of the Interstate System. It provides for exclusive bus lane construction to facilitate urban transit systems by more effectively using the Nation's highways. It funds the highway beautification program for a 3-year period and creates a commission to report back firm recommendations within 1 year on some of the thorny problems involved in the beautification program. In addition, it funds highway safety activities two-thirds from the trust funds and one-third from the general fund.

*River and Harbor and Flood Control Act of 1970.*—This legislation authorized the Army Corps of Engineers to construct, modify, or otherwise participate in the provision of 31 flood control, navigation, beach erosion, and other water resource development projects.

*Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.*—This legislation is the accumulation of lengthy and extensive efforts to develop legislation establishing a uniform policy for the fair and equitable treatment of persons who are displaced, or have their real property taken for Federal and federally assisted programs. This legislation recognizes that the Federal Government has a primary responsibility to provide uniform treatment for those forced to relocate by Federal and federally assisted programs and to ease the impact of such forced moves, and establishes the appropriate financial and other assistance for those displaced.

*River Basin Monetary Authorization and Miscellaneous Civil Works Amendments Act of 1970.*—This legislation authorizes an increase in the monetary authorization for 13 comprehensive river basin plans previously approved by Congress, authorizes the completion of the Chesapeake Bay Basin comprehensive study and modifies the flood control projects on the Scioto River, Ohio, and the multiple-purpose project at Tocks Island Dam and Reservoir, Pennsylvania and New Jersey.

*John F. Kennedy Center.*—This legislation amended section 8 of the John F. Kennedy Center Act by increasing the authority for direct appropriations from \$15.5 to \$23 million, an increase of \$7.5

million, provided, as in the basic act, that this increase is matched by an equal amount of money, securities, and other property from other sources. In addition, Public Law 91-90 amended section 9 of the John F. Kennedy Center Act by authorizing an increase in the amount of bonds authorized to be issued to pay for the cost of the underground parking facilities by \$5 million from the original \$15,400,000 to \$20,400,000.

*Appalachian Regional Development Act Amendments of 1969; Regional Action Planning Commission Amendments of 1969; amendments to the Public Works and Economic Development Act of 1965.—*

#### APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 1969

In 1969, additional amendments were made to the Appalachian Regional Development Act and the Public Works and Economic Development Act.

In addition to authorizing program funds for the next 2 fiscal years, the major amendments to the Appalachian Act were as follows:

The Appalachian highway program was extended for an additional 2-year period with additional authorizations of \$150 million. There was a provision which would permit the Commission to obligate the highway program money in advance of appropriations in a manner similar to the regular Federal-aid highway programs.

The demonstration health project section was amended to add a specific reference to nutrition and child care projects to emphasize the need to increase the tension to these elements of comprehensive health care and an increase from 50 to 75 percent Federal percentage payable in operating grants for demonstration health projects in the third, fourth, and fifth years of project operation was made. Language providing for emphasis to programs and research for the early detection, diagnosis, and treatment of "black lung" and other occupational diseases arising from coal mining was also added.

The mining area restoration section was amended to make clear that the Secretary of the Interior may make grants to the States for planning and executing mine fire projects.

The supplemental grant section was updated to include recently passed Federal grant and aid programs to be eligible for supplemental grants.

The act eliminated the 3-year limitation on financial assistance for administrative expenses of multicounty organizations certified as local development districts, but retained the 3-year limitation for State agencies certified as local development districts.

The act also authorized a study by the President of the Upper New York State to determine which, if any, portions should be added to the Appalachian region or the New England region under the Economic Development Act.

#### REGIONAL ACTION PLANNING COMMISSION AMENDMENTS OF 1969

In addition to authorizing program funds for the next 2 fiscal years, the major amendments to the title V regional commission was as follows:

Title V of the Economic Development Act was amended to direct the Secretary of Commerce on request for the Public Works Com-

mittee of either the House of Representatives or the Senate to study the advisability of changing the geographical area of any economic development region. The authority for technical and planning assistance to the regions was amended to permit broader use of funds for planning, studies, investigations, training programs, and demonstration projects, including high-speed ground transportation and marine research activities. The commissions were given independent authority to engage in activities after the programs are approved by the Secretary of Commerce and limited the expenditures by the Secretary. Each Federal cochairman was directed to maintain his headquarters office in the District of Columbia.

The supplemental grant provisions of the commissions was expanded to permit funds to be used for all or any portion of the basic Federal grant where funds were not available within the region from the national program for that purpose. The act also directed the Secretary after deducting technical assistance and administrative funds to apportion the remainder of the sums appropriated for any fiscal year to the regional commissions. However, not less than 10 percent nor more than 25 percent could be allocated to any one regional commission.

Funds were authorized for the Federal field committee for development planning in Alaska.

Study was also authorized to permit the Secretary of Transportation acting jointly with the regional commissions to conduct a study of all types and modes of transportation relevant to the needs of the economic development regions and to report the results to the Congress.

#### OTHER AMENDMENTS TO THE ECONOMIC DEVELOPMENT ACT IN 1969

Authority was given to the Secretary in the case of grants to Indian tribes to reduce or entirely waive the required non-Federal share below the minimum of 20 percent otherwise required. The technical assistance provision of title III was amended to authorize the Secretary to make grants for any demonstration project within a redevelopment area which he determines is designed to foster the regional productivity and growth, prevent out-migration, and otherwise carry out the purposes of the act.

An amendment was added to title IV of the act requiring the Secretary to designate, as redevelopment areas, those areas known as special impact areas selected for assistance under the Economic Opportunity Act, and permitted him to designate as redevelopment areas, areas which he determines meet the purposes of that part of the Economic Opportunity Act.

*Amended the Public Works and Economic Development Act of 1965 to extend the authorizations for titles I through IV through fiscal year 1971.*—In 1970 the Public Works and Economic Development Act was amended to extend the authorization of funds for titles I through IV through fiscal year 1971. The act provided simply for the extension of the present authorized amounts to those titles for an additional year. All of the titles, therefore, are due to expire June 30 of 1971. The act was also amended during debate in the House to con-

tinue the designation as development areas for a period of 1 year those counties that were to be redesignated July 1, 1970.

Among other bills reported by the committee which became public law are the following:

P.L. 91-205. Amended the act of August 12, 1969, to insure that certain facilities constructed under authority of Federal law are designed and constructed to be accessible to the physically handicapped;

P.L. 91-214. Authorized additional funds for the Library of Congress James Madison Memorial Building;

P.L. 91-217. Authorized an adequate force for the protection of the Executive Mansion and foreign embassies;

P.L. 91-237. Named the Federal office building and U.S. courthouse in Chicago, Ill., the "Everett McKinley Dirksen Building";

P.L. 91-407. Granted the consent of Congress to the States of Maryland and West Virginia and the Commonwealths of Virginia and Pennsylvania and the District of Columbia, as signatory bodies, for certain amendments to the compact creating the Potomac Valley Conservancy District and establishing the Interstate Commission on the Potomac River Basin;

P.L. 91-446. Amended section 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority;

P.L. 91-649. Changed the name of certain projects for navigation and other purposes on the Arkansas River and names the Arkansas River navigation and comprehensive development project as the McClellan-Kerr Arkansas River navigation system;

P.L. 91-639. Changed the name of the West Branch Dam and Reservoir, Mahoning River, Ohio, to the Michael J. Kirwan Dam and Reservoir; and

P.L. 91-653. Named a U.S. post office and courthouse in Boston, Mass., as the "John W. McCormack Post Office and Courthouse"; a Federal office building in Baltimore, Md., as the "George H. Fallon Federal Office Building"; and a Federal office building in St. Petersburg, Fla., as the "William C. Cramer Federal Office Building."

#### FURTHER COMMITTEE ACTIVITIES

The committee approved 53 watershed protection and flood prevention projects transmitted to Congress by the Secretary of Agriculture through the Office of Management and Budget pursuant to the provisions of section 2 of Public Law 566, 83d Congress, as amended.

During the 91st Congress the committee approved 77 projects which includes construction, alterations, and purchases under the Public Buildings Act of 1959. These are public building projects to house Government agencies and facilities, including post offices, courthouses, customhouses, immigration quarters, warehouses, Federal office buildings, and so forth.

The committee held hearings and executive sessions almost continuously from the beginning of the Congress. In addition the subcommittees made special inspection trips to investigate flood, storm, and oil pollution damage in California; tornado and flood damage in

northern Ohio; and Hurricane Camille damages in Alabama, Mississippi, and Louisiana. Subcommittees also held hearings in Texas on the Sabine River Basin, in Oklahoma and Arkansas on projects in the Arkansas River Basin; in Montana and Alaska on water resource projects in those States and on the proposed future development and use of the Alaska Highway; inspected the Savannah River Basin and held hearings on its future development; as well as conducting a survey of the Tennessee Valley Authority installations in north Alabama and Tennessee; and inspected and held hearings at Sandy Hook, N.J., for an on-the-spot investigation of the waste disposal areas involved in the New York Bight area.

My sincere appreciation for their splendid cooperation goes to the committee members, particularly the subcommittee chairmen. Congressman John A. Blatnik, chairman of the Subcommittee on Rivers and Harbors and the Federal-Aid Highway Program Subcommittee; Congressman Robert E. Jones, chairman of the Subcommittee on Flood Control and the Ad Hoc Subcommittee on Appalachia; Congressman John C. Kluczynski, chairman of the Subcommittee on Roads; Congressman Kenneth J. Gray, chairman of the Subcommittee on Public Buildings and Grounds; Congressman Jim Wright, chairman of the Subcommittee on Watershed Development; and Congressman Ed Edmondson, chairman of the Special Subcommittee on Economic Development Programs.

To Congressman William C. Cramer, of Florida, the ranking minority member of the committee, as well as the other able Members of the minority side who have done much to further the work of the committee, I wish to extend my deep and sincere appreciation also.

To all the staff of the committee and subcommittees may I thank you sincerely for a job well done.

GEORGE H. FALLON,  
*Chairman, Committee on Public Works.*

## STATUS OF LEGISLATION

The following is a list of measures considered and approved by the committee and enacted into law :

### BILLS AND RESOLUTIONS ENACTED INTO LAW

Public Law No.	Bill No.	Date approved	Title
79	H.R. 6508 (S. 1685)	Oct. 1, 1969	Disaster Relief Act of 1969. (Provide additional assistance for the reconstruction of areas damaged by major disasters.)
90	H.R. 11249	Oct. 17, 1969	Amends the John F. Kennedy Center Act to authorize additional funds for the Center.
123	H.R. 4018 (S. 1072)	Nov. 25, 1969	Appalachian Regional Development Act Amendments of 1969; Regional Action Planning Commission Amendments of 1969; Amendments to the Public Works and Economic Development of 1965.
205	H.R. 14464	Mar. 5, 1970	Amends the Act of Aug. 12, 1969, to insure that certain facilities constructed under authority of Federal law are designed and constructed to be accessible to the physically handicapped.
214	S. 2910	Mar. 16, 1970	Authorizes additional funds for the Library of Congress James Madison Memorial Building.
217	H.R. 14944	Mar. 19, 1970	Authorizes an adequate force for the protection of the Executive Mansion and foreign embassies.
224	H.R. 4148	Apr. 3, 1970	Water Quality Improvement Act of 1970 and the Environmental Quality Improvement Act of 1970.
237	S. 3253	May 1, 1970	Names the Federal Office Building and United States Courthouse in Chicago, Ill., the "Everett McKinley Dirksen Building".
282	H.R. 15166	June 19, 1970	River Basin Monetary Authorization and Miscellaneous Civil Works Amendments Act of 1970.
304	H.R. 15712	July 6, 1970	Amends the Public Works and Economic Development Act of 1965 to extend the authorizations for titles I through IV through fiscal year 1971.
407	H.J. Res. 1179 (S.J. Res. 67)	Sept. 25, 1970	Grants the consent of Congress to the States of Maryland and West Virginia and the Commonwealths of Virginia and Pennsylvania and the District of Columbia, as signatory bodies, for certain amendments to the compact creating the Potomac Valley Conservancy District and establishing the Interstate Commission on the Potomac River Basin.
446	H.R. 18104	Oct. 14, 1970	Amends sec. 15d of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority.
573	S. 1499	Dec. 24, 1970	Names lock and dam 17 on the Verdigris River, Okla., the "Chouteau Lock and Dam".
574	H.R. 15205 (S. 3192)	-----do-----	Designates the navigation lock on the Sacramento deepwater ship channel in the State of California as the "William G. Stone Navigation Lock".
576	S. 1100	-----do-----	Designates the comprehensive Missouri River Basin development program as the Pick-Sloan Missouri Basin program.
583	S. 528	-----do-----	Designates the reservoir formed by the Millers Ferry lock and dam, Alabama River, Ala., as the William "Bill" Dannelly Reservoir.
585	S. 1500	-----do-----	Names lock and dam 18 on the Verdigris River, Okla., as the Newt Graham lock and dam and the lake created thereby as the Newt Graham Lake.
605	H.R. 19604	Dec. 31, 1970	Federal-Aid Highway Act of 1970.
606	S. 3619	-----do-----	Disaster Relief Act of 1970. (Revises and expands Federal programs for relief from the effects of major disasters.)
608	H.R. 956	-----do-----	Renames a lock of the Cross-Florida Barge Canal as the "Henry Holland Buckman lock".
611	H.R. 19877	-----do-----	Rivers and Harbors and Flood Control Acts of 1970.
625	H.R. 7334	-----do-----	Designates the lake formed by the waters impounded by the Libby Dam, Mont., as "Lake Kococanusa".
628	H.R. 14683	-----do-----	Designates the lock and dam authorized to be constructed on the Red River and Alexandria, La., as the John H. Overton lock and dam.
633	H.R. 19890	-----do-----	Names a Federal building in Memphis, Tenn., for the late Clifford Davis.
634	H.R. 19855	-----do-----	Designates the lake formed by the waters impounded by the Butler Valley Dam, Calif., as "Blue Lake".
636	H.R. 8933	-----do-----	Designates the Jackson lock and dam on the Tombigbee River, Ala., as the Coffeerville lock and dam.
637	H.R. 12564	-----do-----	Renames a pool of the Cross Florida Barge Canal as "Lake Ocklawaha".
638	H.R. 13862	-----do-----	Names the reservoir to be created by the Little Goose lock and dam, Snake River, Wash., in honor of the late Dr. Enoch A. Bryan.
639	H.R. 18858	-----do-----	Changes the name of the West Branch Dam and Reservoir, Mahoning River, Ohio, to the Michael J. Kirwan Dam and Reservoir.
640	H.R. 3107	-----do-----	Designates the pumping station at the Snake Creek arm of the reservoir formed by Garrison Dam, N. Dak., as the "Totten Trail Pumping Station".
646	S. 1	Jan. 2, 1971	Uniform Relocation Assistance and Land Acquisition Policies Act of 1970. (Provides for uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal and federally assisted programs and establishes uniform and equitable land acquisition policies for Federal and federally assisted programs.)

## BILLS AND RESOLUTIONS ENACTED INTO LAW—Continued

Public Law No.	Bill No.	Date approved	Title
649	H.R. 13493	Jan. 5, 1971	Changes the name of certain projects for navigation and other purposes on the Arkansas River and names and Arkansas River navigation and comprehensive development project as the McClellan-Kerr Arkansas River Navigation System.
653	H.R. 19857	.....do.....	Names a U.S. Post Office and Court House in Boston, Mass., as the "John W. McCormack Post Office and Court House"; a Federal Office Building in Baltimore, Md., as the "George H. Fallon Federal Office Building"; and a Federal Office Building in St. Petersburg, Fla., as the "William C. Cramer Federal Office Building".

The following is a list of measures considered and approved by the committee and the House of Representatives but not acted upon by the Senate:

## BILLS APPROVED BY THE HOUSE BUT NOT ACTED UPON BY THE SENATE

Bill No.	Date passed house	Title
H.R. 1035	June 11, 1969	Limits the use of publicly owned or controlled property in the District of Columbia, requires the posting of a bond for the use of such property, and for other purposes.
H.R. 14741	Nov. 25, 1969	Federal-Aid Highway Act of 1969.
H.R. 5278	Dec. 1, 1969	Provides for municipal use of storage water in Benbrook Dam, Tex.
H.R. 12795	Jan. 19, 1970	Amends the "Act to provide better facilities for the enforcement of the customs and immigrations laws" to increase the amount authorized to be expended.
H.R. 15207	Apr. 20, 1970	Modifies the project for Denison Dam (Lake Texoma) Red River, Tex. and Okla. to provide a municipal and industrial water supply.

## WATERSHED PROTECTION AND FLOOD PREVENTION ACT

The Watershed Protection and Flood Prevention Act, Public Law 566, 83d Congress, was approved August 4, 1954, and has been amended. Following is a complete history of the Watershed Protection and Flood Prevention Act:

Public Law 566, 83d Congress (68 Stat. 666).

Public Law 1018, 84th Congress (70 Stat. 1088).

Public Law 85-624, 85th Congress (72 Stat. 563).

Public Law 85-865, 85th Congress (72 Stat. 1605).

Public Law 86-468, 86th Congress (74 Stat. 131, 132).

Public Law 86-545, 86th Congress (74 Stat. 254).

Public Law 87-170, 87th Congress (75 Stat. 408).

Public Law 87-703, 87th Congress (76 Stat. 608).

Public Law 89-337, 89th Congress (79 Stat. 1300).

The watershed program is under the jurisdiction of the Secretary of the Agriculture and the Administrator of the Soil Conservation Service.

The program provides for the installation of small upstream dams and other flood and soil erosion prevention devices in relatively small watershed areas. It also provides for the installation of measures for irrigation, drainage, municipal and industrial water supply, recreation, and fish and wildlife development.

The works of improvement must be located in watershed or sub-watershed areas not exceeding 250,000 acres and not including any single structure which has more than 12,500 acre-feet of floodwater detention capacity or more than 25,000 acre-feet of total capacity.

The Administrator of the Soil Conservation Service, acting for the Secretary of Agriculture, can approve any plan which does not involve an estimated Federal contribution to construction costs of more than \$250,000 and which does not include any structure which provides more than 2,500 acre-feet of total capacity. If the proposed plan exceeds these limitations, it must be transmitted to the appropriate congressional committees for approval, as follows:

The appropriate committees are the Committees on Agriculture of the Senate and the House in one case, and the Committees on Public Works of the Senate and the House in the other case. The dividing line between the authority of these committees is based upon a total capacity of 4,000 acre-feet for any structure in the plan, as follows:

If the Federal contribution to the construction cost is more than \$250,000 but the size of any individual structure is not in excess of 4,000 acre-feet of total capacity (regardless of whether it is below 2,500 acre-feet or above 2,500 acre-feet), approval is required by the Committees on Agriculture. If this Federal contribution is less than \$250,000 but any single structure is in excess of 2,500 acre-feet of total

capacity but not in excess of 4,000 acre-feet of total capacity, approval is required by these two committees.

If any single structure has more than 4,000 acre-feet of total capacity, approval is required by the Committees on Public Works. In this case it does not matter whether the Federal contribution to the construction cost is more or less than \$250,000, since in either case the size limitation of 4,000 acre-feet is governing. As stated previously, the upper size limit is 25,000 acre-feet of total capacity, with not more than 12,500 acre-feet of flood control capacity.

The following watershed projects have been approved by the committee during the 91st Congress in compliance with the provisions of the law:

Arkansas :

Des Are Bayou  
Galla Creek  
Little Mulberry Creek  
Lower Tri-County  
Spadra Creek  
Upper Tri-County  
Upper Ouchita River  
Upper Petit Jean

Colorado : Crooked Arroyo

Georgia :

Big Creek  
Headwaters of the Chattooga River  
John's Creek  
North Oconee River  
Soque Creek

Illinois : Clear Creek

Indiana : Lost River

Maine :

Fish Stream  
Violette Stream

Kansas : Lyons Creek

Maryland :

Piney Run  
St. Mary's River

Massachusetts : West Branch

Westfield River

Michigan : East Upper Maple River

Mississippi :

Bahala Creek  
Copiah Creek  
Line Creek  
Upper Leaf River

Montana :

Big Spring Creek  
Newland Creek

New Mexico :

Corrales  
Sibley, Green, Jaralosa, and  
Candler Arroyos  
Tucucari Draw

New York : Newtown-Hoffman  
Creeks

North Carolina : Town Ford  
Creek (supplemental)

North Dakota :

Square Butte Creek  
Upper Turtle River

Ohio :

Pine Creek  
Rush Creek (supplemental)

Oklahoma :

Bushy-Peaceable Creek  
Pryor Creek

Oregon :

McKay-Rock Creek  
Pine Valley

Pennsylvania : Jacobs Creek

South Carolina :

North Tyger River  
Rocky Creek  
Wilson Creek

Texas :

Comal River  
Hog Creek  
Lakeview  
Lower Running Draw  
McClellan Creek  
Running Water Draw  
(including New Mexico)  
Upper Cibolo Creek

## PUBLIC BUILDINGS APPROVED FOR CONSTRUCTION, ALTERATION, OR LEASE

The following public building projects have been approved by the committee during the 91st Congress in compliance with the provisions of the law :

### Alabama :

Birmingham, PO CT (Alt.).

Montgomery, PO VMF (C).

Arkansas : Little Rock, PO VMF (C).

### California :

Fresno, area of, Internal Revenue Service Automatic Data Processing Center (Lease).<sup>1</sup>

Inglewood, PO Facility (C).

Los Angeles, PO VMF (C).

San Francisco, FOB (49 Fourth Street) (Alt.) (Rev.).

Santa Rosa, FOB (C).

Colorado : Colorado Springs, PO VMF (C).

### Connecticut :

Hartford, PO VMF (C).

Stamford, PO VMF (C).

### Florida :

Fort Lauderdale, PO VMF (C).

Miami, PO VMF (C).

Miami, PO CT (Alt.).

Orlando, CT FOB (C) and PO CT (Conv.).

Tallahassee, PO VMF (C).

Georgia : Albany, PO VMF (C).

Hawaii : Honolulu, PO (Waikiki Station) (C).

### Illinois :

Bloomington, PO Facilities (C).

Chicago, PO VMF (C).

Chicago, Federal Correctional Center and Federal Parking Facility (C).

Chicago, PO Annex (Alt.).

Rockford, PO VMF (C).

Indiana : Terre Haute, PO VMF (C).

Iowa : West Branch, Herbert Hoover Library (Ext. and Mod.).

### Kansas :

Abilene, Eisenhower Museum (Ext. and Mod.).

Topeka, Property Management and Disposal Service Depot (Alt.).

Kentucky : Lexington, PO VMF (C).

Louisiana : Shreveport, PO Facility (C) CT and FOB (Lease).

Maine : Portland, CT (Alt.).

### Maryland :

Baltimore, CT FOB (C) Appraisers Stores Building (Conv. and Ren.).

Beltsville, Federal Law Enforcement Training Center (C) (Rev.).

### Michigan :

Detroit, FOB CT (Alt.).

Detroit, IRS National Data Center (Lease) (Rev.) amended.<sup>1</sup>

Grand Rapids, CT FOB (C) (Rev.).

Lansing, PO VMF (C).

Minnesota : Minneapolis-St. Paul, PO VMF (C).

Mississippi : Aberdeen, PO CT (C).

### Missouri :

St. Louis, PO (1720 Market Street) (Ext.) (Rev.).

St. Louis, Mart Building (Alt.).

<sup>1</sup> Approved original lease in 1969 and revision in 1970.

- Montana :  
 Billings, PO VMF (C).  
 Butte, PO CT (Amendment).
- Nevada : Reno, PO VMF (C).
- New Jersey :  
 Camden, PO VMF (C).  
 Fort Monmouth, area of, Army Electronics Command and Army Materiel Command (Lease).
- New York :  
 Buffalo, CT (Alt.) (Rev.).  
 Huntington Station, PO (C).  
 New York City Metropolitan Area, Foreign Surface and Bulk Mail Facility (C) and Preferential Mail Handling Facility (Alt.).  
 Suffolk County, Long Island, IRS Automatic Data Processing Center (Lease).<sup>1</sup>  
 Yonkers, PO VMF (C).
- North Carolina :  
 Asheville, PO CT (Alt.).  
 Raleigh, PO CT (Alt.).
- Ohio :  
 Cincinnati, PO CT (Alt.).  
 Cleveland, PO VMF (C).
- Oregon :  
 Portland, CT (Old) (Alt.).  
 Salem, PO VMF (C).
- Pennsylvania :  
 Philadelphia, IRS Automatic Data Processing Center (Lease).  
 Philadelphia, FOB (225 South 18th Street) (Alt.).  
 Philadelphia, FOB (1421 Cherry Street) (Alt.)  
 Philadelphia, CU and Appraisers Stores (Alt.) (Rev.).
- Tennessee :  
 Knoxville, PO VMF (C).  
 Memphis, IRS Automatic Data Processing Center (Lease) (Amended).<sup>1</sup>  
 Nashville, PO VMF (C).
- Texas :  
 Amarillo, PO VMF (C).  
 Fort Worth, PO VMF (C).  
 San Angelo, PO CT FOB (C).  
 Waco, PO VMF (C).
- Virginia :  
 Charlottesville, PO VMF (C).  
 Quantico, FBI Academy (C) (Rev.).  
 Reston, Geological Survey (Lease).
- Washington : Auburn, GSA Center (Alt.) (Rev.).
- Washington, D.C. :  
 Archives Building (Alt.) (Rev.).  
 General Accounting Office (Alt.).  
 HEW North Building (Alt.) (Rev.).  
 Potomac Annex, Building 6 (Dispensary) (Alt.).  
 PO VMF (C).
- West Virginia : Charleston, PO (C).

*KEY TO ABBREVIATIONS*

PO—Post Office  
 PO VMF—Post Office and Vehicle Maintenance Facility  
 CT—Courthouse  
 FOB—Federal Office Bldg.  
 CU—Custom House  
 Alt.—Alteration  
 C—Construction  
 Conv.—Conversion  
 Ren.—Renovation  
 Mod.—Modernization  
 Ext.—Extension  
 Rev.—Revision

<sup>1</sup> Approved original lease in 1969 and revision in 1970.

## MAJOR PUBLIC LAWS ENACTED

### Water Quality Improvement Act of 1970 and the Environmental Quality Act of 1970

(Public Law 91-224)

This legislation contains such features as control of pollution by oil. It establishes for the first time in this category a clean-up authority, it also places strict features of liability on those who would ship oil. In the matter of vessels it establishes a category of \$100 per gross ton or \$14 million liability whichever is the lesser and in the field of on-shore and off-shore installations the figure is \$8 million.

It moves into the area of operation of the small boatowners who move across our Nation's waterways in ever-increasing thousands. It provides the basis for a meaningful control of pollution discharge from these vessels under the rules and regulations to be worked out jointly by the U.S. Coast Guard and the Secretary of the Interior.

For the first time it establishes a requirement that when those who seek a license or permit from a Federal agency for the use of our Nation's waters whether it be to build nuclear powerplants, steam powerplants or any other uses of our navigable waters they must give reasonable assurances that the operation of whatever they seek to require a permit for, will not lower the water pollution standards of the waters of a particular State. It goes into the field of acid mine drainage research, pollution control in the Great Lakes, land acquisition for field laboratories for the studying of various forms of pollution; oil pollution removal research; extension of the basic research authorization program now in existing law; a clean lakes research section; language to require development of scientific knowledge on the effects of pesticides in the environment, a pilot training program and an additional program to give those who would operate our Nation's sanitary facilities the best background and experience to carry out the job for staffing for our all-important Council on Environmental Quality.

The following tabulation reveals funding authorized under this law:

## AUTHORIZATIONS CONTAINED IN PUBLIC LAW 91-224

	Authorized			Section total
	No fiscal year specified	For specified fiscal years		
		Amount	Fiscal year	
Oil pollution revolving fund, sec. 11(k).....	\$35,000,000			\$35,000,000
Area acid, sec. 14(d).....	15,000,000			15,000,000
Great Lakes, sec. 15(c).....	20,000,000			20,000,000
Training, sec. 19(3).....		\$12,000,000	1970	
		25,000,000	1971	
		25,000,000	1972	62,000,000
Alaska demonstrations, sec. 20(a).....	1,000,000			1,000,000
Research, etc., sec. 105(1) (existing sec. 5):				
Sec. (g)(4) redesignated (m)(4).....		1,000,000	1970	
		1,000,000	1971	2,000,000
Sec. (h) redesignated (n).....		72,500,000	1970	
		75,000,000	1971	147,500,000
R. & D. grants, sec. 106 amending—				
Sec. 6(e)(1).....		20,000,000	1970	
		20,000,000	1971	40,000,000
Sec. 6(e)(2).....		20,000,000	1970	
		20,000,000	1971	40,000,000
Sec. 6(e)(3).....		20,000,000	1970	
		20,000,000	1971	40,000,000
Title II, sec. 205.....		750,000	1971	
		1,250,000	1972	
		1,500,000	1973	3,500,000
<b>Total</b> .....				<b>406,000,000</b>

**Disaster Relief Act of 1969**

(Public Law 91-79)

On July 9, 1969, the House of Representatives passed and sent to the Senate, the California Disaster Relief Act of 1969 (H.R. 6508). This bill was a comprehensive relief bill necessitated by extensive property loss and damage in the State of California as a result of storms, floods, and highwaters during the winter of 1968-69, and the spring of 1969, and the need for special measures to assist in the reconstruction and rehabilitation of the devastated areas.

Subsequently, there were a series of additional disasters climaxed by Hurricane Camille. In conference it was determined that a general bill with application throughout the United States was needed. Accordingly, the Disaster Relief Act of 1969 in its present form was recommended with an expiration date of December 31, 1970, to permit additional hearings upon legislation designed to be of permanent application with respect to the Federal aid and assistance for areas suffering major disasters.

Section 1 is a recognition by Congress of the extensive property loss and damage suffered by a number of States as a result of recent major disasters as well as of the need for special measures to assist in the reconstruction and rehabilitation of these devastated areas.

## MAJOR PROVISIONS OF THE LEGISLATION

*Highway repairs*

Section 2 authorizes the President to allocate funds to States for the permanent repair and reconstruction of permanent street, road, and highway facilities not on any Federal-aid system that were de-

stroyed or damaged as a result of the disaster. The section requires 50-percent participation by the State.

This is a new departure in the field of Federal responsibility for highway repair. Hitherto assistance has been granted only for repair and reconstruction of Federal-aid highways. Language granting 100-percent Federal assistance for such repairs was contained in the disaster relief bill passed by the Senate in 1965.

#### *Timber sales contracts*

In section 3 relief would be provided for those timber contractors in Federal forests whose contracts were entered into prior to 1965 so that adjustments may be made in their contracts to facilitate reconstruction of timber roads destroyed in a major disaster.

Also provided was authority and guidelines for assistance in the removal of downed or damaged timber from privately owned land when such assistance is deemed by the President to be in the public interest. However, the salvage value of the timber is to be deducted from the amount of the payment for removal.

#### *Entry on public lands*

In section 4 the period for entry on to public timber lands has been lengthened in order to salvage timber which is subject to infestation and deterioration because of climatic conditions.

#### *Bureau of Reclamation overhead costs*

Section 5 repeals a provision of the Fiscal 1967 Public Works Appropriation Act now requiring that funds spent by the Bureau of Reclamation in connection with disaster relief under Public Law 81-875 shall be reimbursed in full by the Office of Emergency Planning to the Bureau.

#### *Disaster relief loans*

Section 6 provides that the Small Business Administration, on 3-percent disaster loans to those who cannot establish bank credit, shall, at the borrower's option, cancel up to \$1,800 of interest, principal, or any combination thereof on a disaster loan. SBA also is authorized to defer interest or principal payments during the first 3 years of the term of the loan regardless of the borrower's financial situation.

In addition, in order to assist those who are severely affected by a disaster but who have some capability of assisting their own recovery because of the availability of private credit, the following recommendation was made: that the SBA make loans for the repair, rehabilitation or replacement of lost or damaged property without regard to whether financial assistance is otherwise available, provided that such a loan will carry interest charges at a rate equal to the cost of the money to the United States. This aspect of the loan program would therefore not burden the Federal Treasury. Further, no such loan would be eligible for forgiveness or deferral of payments.

Finally, the SBA is authorized to refinance mortgages or liens outstanding on destroyed or damaged properties. However, this is not intended to permit cancellation or deferral if the loan being financed was originally made under the first paragraph of this section and part of such loan was already canceled. This means that no borrower could receive two cancellations on the same loan. He would not be barred

from two such cancellations, however, if each resulted from damage or destruction in a different disaster.

Section 7 grants the consolidated Farmers Home Administration the same loan authority as is given to SBA by section 6.

*State disaster planning*

Section 8 authorizes a 50-50 matching grant not to exceed \$250,000 to any State for development of a plan for assistance to individuals who suffer losses in a major disaster. It requires designation or creation of a State planning agency and submission of a State plan to the President not later than December 31, 1970.

Each participating State is to appoint a State coordinating officer to act in cooperation with the Federal coordinating officer required by the next section of the bill.

Thereafter, from time to time, the President is authorized to report and recommend to Congress programs for the Federal role in implementing and funding comprehensive disaster relief plans and activities.

*Federal coordinating officer*

Section 9 requires the President to appoint a Federal coordinating officer immediately upon his having designated a major disaster area. This officer will operate under the Office of Emergency Preparedness in the area. He will have responsibility for coordinating all Federal disaster relief and assistance, establish field offices for rapid and efficient administration of this assistance and aid local officials and citizens to obtain promptly the assistance to which they are entitled.

*Shelter for disaster victims*

Section 10 authorizes the President to provide necessary shelter for individuals and families who are certified as having been displaced from their dwellings by a major disaster and who are unable to find suitable accommodations. The bill authorizes use of unoccupied housing owned by the United States or of unoccupied public housing, leasing of existing dwellings or acquisition of mobile homes or other readily fabricated dwellings through leasing and placing them on sites furnished by the State or local government or by the owner-occupant, provided no charge is made for the site.

Rentals for this emergency shelter will take into consideration the financial ability of the occupant, and may be adjusted or even waived entirely for a period not to exceed 12 months. In no case can an individual or family be charged a monthly housing expense (including debt charges on a house destroyed or damaged in the disaster) in excess of one-quarter of the monthly income.

*Food stamps and surplus commodities*

Section 11 authorizes the President to distribute food stamp coupons and surplus commodities to low-income households which are unable to purchase adequate nutritious food because of a major disaster. The President will be able to use existing legislation for so long as he deems it necessary, and to take into account such factors as the consequences of the disaster upon the earning power of the recipients.

*Assistance to unemployed individuals*

Section 12 recognizes that, while large numbers of workers and businessmen are covered by unemployment compensation and private income protection programs, when disaster strikes, especially in rural and coastal areas, a significant number of individuals find themselves suddenly with no means of support. The bill authorizes the President to provide financial assistance to such individuals not to exceed the maximum amount and the maximum duration of payments under the State unemployment compensation program. Any amount paid to an individual will be reduced by the actual amount of unemployment compensation or private income protection received by him during his unemployment.

*Fire control*

Section 13 authorizes the President to make grants and loans to States for suppression of any fire on publicly or privately owned forest or grasslands which threatens to become a major configuration. This section grew out of a study conducted by the Office of Emergency Preparedness pursuant to Public Law 89-769, the Disaster Relief Act of 1966.

*Debris removal*

Section 14 provides that when it is determined to be in the public interest the President is authorized to make grants to States and localities for reimbursement of expenses of removing debris from privately owned lands and waters as the result of a major disaster, but only to the extent such expenses exceed the salvage value of the debris. The conferees intend that a major consideration in making these grants shall be the degree to which debris removal will assist in the economic recovery of the area.

*Effective dates*

Section 15 provides that, except for sections 5, 8, 9, and 13, which are given permanent status, the act would apply to any major disaster declared by the President between July 1, 1967, and December 31, 1970.

**Disaster Relief Act of 1970**

(Public Law 91-606)

## TITLE I. FINDINGS AND DECLARATIONS

It contains a general statement of the purpose and the intent of Congress. It also contains definitions used in the act.

## TITLE II. THE ADMINISTRATION OF DISASTER ASSISTANCE

*Section 201. Federal coordinating officer*

Provides for the appointment by the President of a Federal coordinating officer and sets out his duties.

*Section 202. Emergency support teams*

Authorizes the Director to form emergency support teams of Federal personnel to assist the Federal coordinating officer in carrying out his duties.

*Section 203. Cooperation of Federal agencies in rendering emergency assistance*

This section sets out the methods that can be used by the Federal agencies to provide emergency assistance. Federal agencies may provide facilities, supplies, personnel, food, medicine, clear debris, repair public facilities, and provide emergency shelter.

Provisions for reimbursement of Federal agencies are defined. In addition, Federal agencies under this section are authorized to hire and utilize additional personnel without regard to the existing Civil Service Commission procedures, to incur obligations on behalf of the United States and to utilize the services and facilities of State and local governments.

Other provisions in this section deal with coordination of disaster assistance limitation on Federal liability, program review and the necessity for a study and a report to Congress not later than 1 year after enactment of this section with respect to preventive action in certain major disasters.

*Section 204. Use of local firms and individuals*

Provides for a preference in the expenditure of Federal funds to organizations, firms, and individuals who reside or do business primarily in the disaster area.

*Section 205. Federal grant-in-aid programs*

Agencies administering aid to disaster areas would be authorized to waive administrative procedural conditions for receipt of Federal grant-in-aid programs for the duration of the disaster declaration, if inability to meet such conditions resulted from the disaster.

*Section 206. State disaster plans*

Authorizes the President to make grants up to \$250,000 to any State for not more than 50 percent of the cost of preparing comprehensive plans and programs for preparation against and for relief to individuals, businesses, and local governments suffering losses in major disasters. The State must designate an agency and a State coordinating officer. Additional grants up to \$25,000 can be made by the President for maintenance and improvement of State disaster assistance plans. Provision is made for reports to the Treasury and the Congress by the Director regarding Federal role in disaster relief activities.

*Section 207. Use and coordination of private relief organizations*

Authorizes the Director to make agreements with private relief organizations to distribute food, clothing, medicine, and other items in the restoration, rehabilitation, et cetera, of community services and facilities. The Director can make agreements with the organizations to have the Federal coordinating officer coordinate all their relief activities in the disaster area. All agreements shall be conditioned upon compliance with sections 208 and 209 of this act.

*Section 208. Duplication of benefits*

Requires the Director to ascertain that no person, business concern, or other entity receive aid from more than one source for the same disaster damage. Any part of a loss covered by insurance would not be eligible for Federal assistance. The Director is required to seek recovery of any duplicate payments.

*Section 209. Nondiscrimination in disaster assistance*

Requires the Director to issue regulations forbidding discriminating by race, color, religion, nationality, sex, age, or economic status in providing disaster relief supplies and services.

*Section 210. Disaster warnings*

The President is authorized to make available the facilities of the civil defense communications system for providing warnings to governmental authorities and the civilian population.

*Section 221. Predisaster assistance*

Authorizes the President to use the resources of the Federal Government to avert or minimize the effects of an imminent disaster.

*Section 222*

Authorizes the Director to establish temporary communications in any major disaster area and to make such communications available to State and local government officials.

*Section 223*

Authorizes the Director to provide temporary public transportation service to meet emergency needs in any disaster area.

*Section 224*

Authorizes the President to utilize Federal departments, agencies, and instrumentalities to clear debris and wreckage resulting from a major disaster from publicly or privately owned lands and waters and to make grants to any State or local governments for this purpose.

The authority under this section shall not be exercised unless the effected State or local government arranges an unconditional authorization for removal of debris or wreckage, and in the case of its removal from private property, shall first agree to indemnify the Federal Government against any claim from such removal.

*Section 225*

Authorizes the President to provide assistance, including grants, for the suppression of any fire on publicly or privately owned forest land which threatens such destruction as would constitute a major disaster.

*Section 226. Temporary housing assistance*

Authorizes the Director to provide temporary housing including mobile homes for up to 12 months on a rent-free basis. Such emergency housing may be sold to the occupant at a fair and equitable price. This section also authorizes the President to make mortgage and rental payments to families who qualify, for a period not to exceed 1 year, and also to provide reemployment assistance services.

*Section 231. Small Business disaster loans*

SBA disaster loans could be made for refinancing, repair, rehabilitation, or replacement of property not covered by insurance, regardless of the availability of loans from other sources. Payment of principal and/or interest could be deferred for up to 3 years. Cancellation of the principal of loans in excess of \$500 not to exceed \$2,500 is authorized in a Presidentially declared major disaster.

*Section 232. Farmers Home Administration emergency loans*

FHA loans are treated the same as SBA loans in section 231.

*Section 233. Loans Held by the Veterans' Administration*

Provides for VA loans to be modified with wide discretionary authority in the Administrator with respect to interest and time of payment. Counseling and other services are also made available to property owners.

*Section 234. Disaster loan interest rates*

Loans made under sections 231, 232, 236(b), and 237 shall not exceed current cost of repairing or replacing disaster injury, loss or damage and bear interest in accordance with the formula contained in this section but in no event shall any loan under this section bear interest at a rate in excess of 6 percent per annum.

*Section 235. Age of applicant for loans*

Federally administered disaster loan applications must be considered without discrimination because of age.

*Section 236. Federal loan adjustments*

Authorizes the Secretary of Agriculture to readjust payment schedules and to extend maturity dates of REA loans up to 40 years. The Secretary of HUD is authorized to refinance obligations which cannot be paid because of disaster damage and to suspend payment of interest and principal for a period not to exceed 5 years.

*Section 237. Aid to major sources of employment*

The SBA or the Farmers Home Administration are authorized to make loans in whatever amount is necessary to industries and businesses which were major sources of employment and are no longer in substantial operation as a result of the disaster. Loans made under this section shall bear interest at the rate prescribed in section 234 but the President may defer payment of principal and interest for a period not to exceed 3 years.

*Section 238. Food coupons and distribution*

The President would be authorized to distribute, through the Secretary of Agriculture, food stamps and surplus commodities to low-income household for as long as he determined it necessary as a result of the major disaster.

*Section 239. Legal services*

Authorizes the Director to provide needed legal services to low income individuals in coordination with Federal agencies and State and local bar associations. Legal services are limited to those required as a result of the disaster.

*Section 240. Unemployment assistance*

Authorizes the President to provide unemployment compensation to individuals unemployed as a result of a major disaster and stipulates the basis for the payment; however, such assistance is limited by the amount and duration of payments in the State where the disaster occurred.

*Section 241. Community disaster grants*

Authorizes the President to make grants to local governments, which have suffered a loss of property tax revenue as a result of a major disaster. The formula and duration of such grants are set out in this section.

*Section 242. Timber sale contracts*

The Secretary of the Interior and the Secretary of Agriculture would be authorized to reimburse timber sale contracts or to arrange for road and trail construction and restoration costs incurred for restoring of roads, previously authorized by contracts for the purchase of timber which have been damaged by major disaster. This section also provides for cancellation of timber contracts under appropriate circumstances, grants by the Director of OEP to pay for cleanup costs of disaster damaged timber, and a reduction to 7 days for advance public notice of sale of national forest timber located in a disaster area.

*Section 243. Minimum standards for residential structure restoration*

Provides that any loan or grant made by relief organizations (under OEP supervision) to repair, restore, reconstruct, or replace residential structure in a disaster area shall be accomplished in accordance with applicable building codes and specifications.

*Section 251. Federal facilities*

The President may authorize any Federal agency to repair or replace Federal facility damaged or destroyed by the disaster. Such work could begin even if funds are not presently available if other funds appropriated to that agency can legally be transferred.

*Section 252. State and local government facilities*

The President may authorize payments up to 100 per centum of the cost of repairing, replacing, restoring, or reconstructing facilities damaged or destroyed by a major disaster. There is a limit of 50 per cent for such work if the facility was still in the process of construction. This section also defines "public facility."

*Section 253. Priority to certain applications for public facility and public housing assistance*

The President by proclamation could in major disaster areas prescribe a priority (not to exceed 6 months) in processing applications under certain housing acts listed in this section.

*Section 254. Relocation assistance*

No person eligible for relocation assistance under section 114 of the Housing Act of 1949 shall be denied eligibility as a result of a Presidentially declared major disaster.

## TITLE III

*Section 301. Technical amendments*

Existing laws are amended to conform with provisions of this act.

*Section 302. Repeal of existing law*

The Disaster Relief Acts of 1950, 1966 (except sec. 7), and 1969 are repealed.

*Section 303. Prior allocation of funds*

Provides that funds allocated before enactment of this act and not yet expended may be used under certain conditions by the State to make payments for debris removal.

*Section 304. Effective date*

This act shall take effect December 31, 1970, except that sections 226 (b), 237, 241, 252 (a), and 254 shall take effect as of August 1, 1969, and sections 231, 232, and 233 shall take effect as of April 1, 1970.

**Federal-Aid Highway Act of 1970**

(Public Law 91-605)

## TITLE I. THE FEDERAL-AID HIGHWAY ACT OF 1970

*1. New authorizations for highway construction**(a) Interstate System (sec. 102)*

Authorizations are extended for an additional 2 years, through 1976, with the annual authorizations for each fiscal year out of the highway trust fund being as follows: 1974, \$4 billion (increased from \$2.225 billion); 1975, \$4 billion; 1976, \$4 billion—a total of \$9.775 billion in new authorizations.

Total authorizations for the Interstate System to date are \$60.415 billion.

Section 103 approves the use of the apportionment factors contained in revised table 5 in the 1970 Interstate System cost estimate for the apportionment of interstate funds authorized to be appropriated for fiscal years 1972 and 1973.

Section 105 (13) : States that have advanced the construction of the Interstate System will receive decreasing shares of interstate authorizations for 1972 and 1973 from apportionments made in accordance with the 1970 Interstate System cost estimate. Under such apportionments, nine States would receive less than one-half of 1 percent of the total nationwide apportionment. Section 105 (13) provides that each State that would be apportioned less than one-half percent shall have its apportionment increased to one-half percent, or approximately \$20 million, for each of the fiscal years 1972 and 1973. The nine States that would so benefit are as follows :

INTERSTATE APPORTIONMENT TO PROVIDE A MINIMUM APPORTIONMENT FACTOR OF 0.500 PERCENT IN ANY STATE

[In thousands of dollars]

State	Apportionment based on revised table 5 factors	Additional apportionment based on 0.500 percent minimum factor	Apportionment based on inclusion of 0.500 percent minimum factor
Arkansas.....	19,168	432	19,600
Delaware.....	8,428	11,172	19,600
Idaho.....	13,720	5,880	19,600
Maine.....	19,169	431	19,600
Nebraska.....	9,818	9,682	19,600
Nevada.....	16,072	3,528	19,600
New Hampshire.....	17,758	1,842	19,600
North Dakota.....	9,408	10,192	19,600
South Dakota.....	18,698	902	19,600
Total.....	132,339	44,061	176,400

Note: The above amounts are based on a total \$4,000,000,000 authorization reduced by a 2-percent administrative reserve.

Section 105 (b) (2) requires that the Secretary, by January 1, 1972, make recommendations concerning the apportionment of funds and matching requirements for work on Federal-aid highways in States which have completed or are nearing completion of interstate construction and for all States after completion of the Interstate System.

In addition, additional cost estimates are required to be submitted in January 1972 and January 1974 (sec. 104).

NOTE.—The 1970 Interstate System cost estimate shows that completion of the 42,500-mile system will cost \$69.87 billion (exclusive of future escalation of unit prices), compared with the 1968 estimate of \$56.5 billion, or an increase of \$13.37 billion. These costs are shown in the table below:

COMPARISON OF THE 1968 AND THE 1970 ESTIMATES

[In millions of dollars]

Item	1968		1970	
	Total cost	Federal share	Total cost	Federal share
1. Interstate mileage in State estimates:				
1968 estimate (40,969 miles).....	54,234	48,538		
1970 estimate (42,495 miles).....			67,213	60,031
2. Remaining system mileage:				
1968 estimate: Held for final measurement (31 miles).....	310	280		
1970 estimate: Held for final measurement (5 miles).....			50	45
Subtotal.....	54,544	48,818	67,263	60,076
3. State highway planning and research.....	790	704	985	879
4. Public roads administration and research.....	663	663	870	870
5. Contingencies.....	503	455	752	675
Grand total.....	56,500	50,640	69,870	62,500

(b) *New authorizations for A-B-C program and other highways (sec. 105)*

Authorizations for each of the fiscal years 1972 and 1973 for the A-B-C and other highway programs from the highway trust fund are as follows:

[In millions of dollars]

Federal-aid primary and secondary systems and their urban extension (A B C)-----	1, 100
Federal-aid primary and secondary systems in rural areas (A B)-----	125
Federal-aid urban system-----	100
Traffic operations projects in urban areas (TOPICS)-----	100

In addition, funds are authorized for several classes of public domain roads for each of the fiscal years 1972 and 1973 as follows:

[In millions of dollars]

	Fiscal year—		Source
	1972	1973	
(a) Forest highways <sup>1</sup> -----	33	33	Highway trust fund.
(b) Public lands highways <sup>1</sup> -----	16	16	Do.
(c) Forest development roads and trails-----	170	170	General fund.
(d) Public lands development roads and trails-----	5	10	Do.
(e) Park roads and trails-----		30	Do.
(f) Parkways-----	20	20	Do.
(g) Indian reservations roads and bridges <sup>2</sup> -----	30	30	Do.

<sup>1</sup> The definitions of "forest highways" and "public lands highways" have been amended to require all such highways to be on a Federal highway system (sec. 141).

<sup>2</sup> The definition of Indian reservations roads and bridges has been revised to include State Indian reservations (sec. 130).

Sixty-five million dollars is authorized to be appropriated from the highway trust fund for reconstructing to six lanes and to interstate standards that section of the Baltimore-Washington Parkway within the State of Maryland presently under the jurisdiction of the Secretary of the Interior. Prior to expenditure of any funds this section of highway must be placed on the Federal-aid primary systems, and following completion of construction the highway will be conveyed to the State of Maryland. Contract authority is not available for this authorization, and funds will have to be appropriated before being obligated.

## 2. *Federal-aid urban system (sec. 106)*

Section 106 authorizes the establishment of a new Federal-aid urban system in urbanized areas having a population of 50,000 or more. The selection of routes on the system and projects to be constructed shall be made by the appropriate local officials and State highway departments in cooperation with each other and subject to the approval of the Secretary.

Not to exceed 50 percent of funds apportioned for extensions of Federal-aid primary and secondary systems in urban areas and for TOPICS may be expended on the Federal-aid urban system in addition to the \$100 million annual authorization specifically provided for the system.

Federal-aid urban funds will be apportioned to the States upon the basis of population in urbanized areas, and the Federal share of the cost of projects is the same as that for the A-B-C program (50 percent plus the sliding scale in public lands States).

### 3. *Prohibition of impoundment of apportionments and diversion of funds (sec. 107)*

Section 107 reiterates the sense of the Congress as expressed in section 15 of the Federal-Aid Highway Act of 1968 that apportioned Federal-aid highway funds should not be impounded or withheld from obligation. This section further provides that no funds authorized to be appropriated from the highway trust fund shall be expended by any Federal agency other than the Federal Highway Administration unless such expenditures are identified in an appropriation act and are to meet obligations attributable to the costs of highways, highway planning, research, and development. Such expenditures may be met, however, if otherwise specifically authorized to be appropriated from the trust fund by Federal-aid highway legislation.

### 4. *Increased Federal share*

Section 108 provides that the Federal share of the cost of improvement of noninterstate highways, which is now 50 percent, shall be increased to 70 percent with respect to authorizations for fiscal year 1974 and beyond. This new sharing formula is enacted to ease the transition between the phaseout of construction of the Interstate System and the follow-on Federal-aid highway program.

### 5. *Bridges*

*Emergency relief.*—Section 109 amends the existing emergency relief provisions to provide for up to 100 percent Federal payment for the cost of repair or reconstruction of bridges which have been permanently closed to all vehicular traffic by a State (including subdivisions thereof) subsequent to December 31, 1967, and before December 31, 1970, because of imminent danger of collapse due to structural deficiencies or physical deterioration.

Subsection (b) defines the term "comparable facility" to mean one which meets current geometric and construction standards required for the types and volume of traffic which such facility will carry over its design life. This definition applies retroactively to the term as used in the 1968 act.

*Bridges on Federal dams.*—Section 116 authorizes the appropriation of \$3.761 million for expenditure in connection with the construction of a bridge across Markland Dam on the Ohio River near Markland, Ind., and Warsaw, Ky.

*Bridge alteration progress payments.*—Section 118 amends section 517 of title 23, United States Code, in order to eliminate the delay in reimbursing bridge owners by permitting the Secretary of Transportation to make progress payments for design work performed prior to actual commencement of alterations but after the order to alter has been issued.

NOTE.—See section 204 of title II, Highway Safety Act of 1970, for a special bridge replacement program.

### 6. *Training programs*

Section 110 authorizes the Secretary to develop, conduct, and administer highway construction related training and skills improvement programs for construction workers with \$5 million from the highway trust fund authorized for each of the fiscal years 1972 and 1973.

### 7. *Training and research fellowships*

Section 115 authorizes the establishment and operation in the Federal Highway Administration of a National Highway Institute to develop and administer, in cooperation with State highway departments, training programs of instruction for Federal Highway Administration and State and local highway department employees engaged in Federal-aid highway work.

Up to one-half of 1 percent of all funds, other than interstate funds, apportioned to each State may be used by the State highway departments to pay up to 70 percent of the cost of tuition and direct educational expenses (not including travel, subsistence, or salaries), for education and training of State and local highway department employees under this section.

The Secretary is further authorized to make grants for research fellowships.

### 8. *Urban highway public transportation*

Section 111 authorizes the use of Federal-aid highway funds apportioned for urban extensions of the Federal-aid primary and secondary systems, TOPICS, Federal-aid urban system, and the Interstate System for the construction of exclusive or preferential bus lanes, highway traffic control devices, bus passenger loading areas and facilities, including shelters and fringe and transportation corridor parking facilities, to serve bus and other public mass transportation passengers. Such projects may be undertaken in urbanized areas having populations of 50,000 or more for use by public mass transportation systems operating motor vehicles on highways.

To be approved, a project, other than one for fringe or transportation corridor parking facilities, must make unnecessary the construction of a highway project and provide a capacity for the movement of persons at least equal to that which would have been provided by the avoided highway project, and the Federal share of the cost of the public transportation project must not exceed the cost of the avoided highway project; or such a public transportation project may be undertaken if no other feasible or prudent highway project can provide for the moving of persons by motor vehicles on highways.

### 9. *Territorial and other highway programs*

Section 112 provides for the establishment of a highway program for the Virgin Islands, Guam, and American Samoa. Two million dollars for each of the fiscal years 1971, 1972, and 1973 are authorized for the Virgin Islands and Guam, while \$500,000 for each of those fiscal years is provided for American Samoa out of the general fund.

*Darien Gap (sec. 113).*—One hundred million dollars from the general fund is authorized by this section for the construction of the Darien Gap highway in the Republics of Panama and Colombia, to connect the Inter-American Highway with the Pan American Highway in South America.

*Alaska Highway (sec. 119).*—This section authorizes the President to enter into negotiations with Canada to reach an agreement for pav-

ing and reconstructing the Alaska highway from Dawson Creek, Canada, to the Alaska border.

*10. Administration (sec. 114)*

Section 114 amends section 303 of title 23 to conform with the recent reorganization of the Federal Highway Administration. It establishes positions of Deputy Federal Highway Administrator and Assistant Federal Highway Administrator, the conditions of their appointments, and sets the salary level for those officers and for the Federal Highway Administrator. The effect of this reorganization is to abolish the Bureau of Public Roads.

*11. Relocation assistance*

*Construction of replacement housing.*—Section 117 authorizes the Secretary to approve as a part of the cost of highway construction, the construction of new housing and the acquisition, rehabilitation, and relocation of existing housing to serve as replacement housing for individuals and families displaced by the highway construction, as a last resort when no replacement housing is available and cannot otherwise be made available (either by public housing agencies or private enterprise), and when the highway construction cannot be undertaken unless replacement housing is made available.

*Effective date of relocation provisions.*—Section 120 extends the deadline for State compliance with the relocation provisions of chapter 5 of title 23, United States Code, from July 1, 1970, to July 1, 1972, for any State which must amend its constitution to comply with chapter 5 and cannot submit the required amendment for ratification prior to July 1, 1970. Louisiana is the only State affected by this provision. That State must amend its constitution in order to comply with chapter 5.

*Interest payments for replacement housing.*—Under section 137, relocation assistance payments for replacement housing would be expanded to include compensation for any increased rates of interest required for the financing of a replacement dwelling.

Section 147 provides that the amendments made by sections 117, 120, and 137 described above shall not take effect if, before the effective date of the Federal-Aid Highway Act of 1970, the Uniform Relocation Assistance and Land Acquisition Policies Act of 1970 has been signed into law.

*12. Future Federal-aid highway program (sec. 121)*

This section directs the Secretary of Transportation to include in the Highway Needs Report to be submitted to the Congress in January 1972 his recommendations for the functional realignment of the Federal-aid systems and for a continuing Federal-aid highway program for the period between 1976 and 1990, and a report on the Federal-aid urban system as designated and the cost of its construction.

*13. Highway beautification (secs. 105, 122, and 123)*

The following sums are authorized to be appropriated from the general funds of the Treasury for carrying out the highway beautification program:

[In millions of dollars ; fiscal years]

Advertising control (sec. 122) :		
1971	-----	27.0
1972	-----	20.5
1973	-----	50.0
Junkyard control (sec. 122) :		
1971	-----	3.0
1972	-----	3.0
1973	-----	5.0
Landscaping and scenic enhancement (sec. 105(12)) :		
1972	-----	1.5
1973	-----	10.0
Administrative expenses (sec. 105(13)) :		
1971	-----	1.5
1972	-----	1.5
1973	-----	3.0

(Sec. 123) : A Commission on Highway Beautification composed of 11 members, four from the Senate Committee on Public Works, four members from the House Committee on Public Works, and three members appointed by the President, is established. Its function is to study existing statutes and regulations relating to the control of outdoor advertising and junkyards in areas adjacent to the Federal-aid highway system, including the study of methods to control on-premise outdoor advertising signs, promotional signs, directional signs, and signs providing information essential to the motoring public. In addition, methods of financing and possible sources of Federal funds, including the use of highway trust funds, are to be considered.

The Commission shall report to Congress within 1 year after the funding of this section and recommend such modifications or additions to existing laws, regulations, policies, practices, and demonstration programs as will, in its judgment, achieve a workable and effective beautification program.

Two hundred thousand dollars is authorized to be appropriated from the general fund for this purpose.

#### 14. *Elimination of segments of the Interstate System not to be constructed (sec. 124)*

The Secretary of Transportation has informed the Congress that approximately 124 miles of the designated Interstate System are the subject of substantial local controversies relative to the location, design, or construction of such routes, and, in some instances, the controversies may not be resolved in time for the routes to be constructed as a part of the current program.

This section requires the Secretary, on July 1, 1973, to remove from designation as part of the Interstate System, any segment for which a State has not established a construction schedule and provided assurances that the schedule will be met. In addition, any segment for which a State has not submitted plans, specifications, and estimates by July 1, 1975, shall be removed from designation as a part of the Interstate System. Prior to July 1, 1975, any eliminated mileage may be redesignated on the system. Any mileage eliminated after July 1, 1975, will not be eligible for redesignation on the system.

#### 15. *Urban area traffic operations improvement programs*

Section 125 clarifies section 135(b) of title 23, United States Code, in two respects: (1) It makes clear that the TOPICS program is appli-

cable in urban areas of 5,000 to 50,000 population, as well as in those urban areas of greater population; and (2) it requires that such projects be based on a continuing comprehensive transportation planning process carried on in accordance with section 134 of this title only in urban areas of more than 50,000 population.

*16. Authority for demonstration projects*

Section 126 authorizes use of certain "one-half of one percent research funds" for demonstration projects.

*17. Economic growth center development highways (sec. 127)*

This section authorizes the Secretary to make grants for demonstration projects for the planning, surveying, investigation, construction, reconstruction, and improvement of highways that would lead to the development of economic growth centers. The aim is to revitalize and diversify the economies of rural areas and smaller communities, enhance and disperse business and industry, encourage more balanced population patterns, check and where possible reverse migration trends from rural to urban areas.

Economic growth centers will be selected by the Governor of a State for approval by the Secretary of Transportation. An economic growth center may not have a population in excess of 100,000. State highway departments may then apply for highway projects to serve approved economic growth centers.

The Federal share of the cost of construction of a Federal-aid primary highway project may be increased by not more than an additional 20 percent where said project is designated as an economic growth center development highway, and Federal funds may pay 100 percent of the cost of planning and surveys; \$50 million per year from the highway trust fund for fiscal year 1972 and 1973 is authorized for this demonstration program. The authorized funds are eligible for contract authority.

A project in the Appalachian region requires consultation with the Federal cochairman. A project in an EDA region requires consultation with the Federal cochairman of the region and the Secretary of Commerce. In both type regions, the criteria for selection of growth centers will take into account the purposes of the respective acts establishing them. Equal consideration should be given to projects within and outside of such regions.

*18. Federal share of engineering costs*

Section 128 allows the Secretary to reimburse a State for the Federal share of the costs of preliminary and construction engineering at an agreed percentage of actual construction costs for a project, rather than on the basis of an audit of actual engineering costs for the project.

*19. District of Columbia interstate highways (sec. 129)*

The District of Columbia government and the Secretary of Transportation are required to restudy projects of the east leg of the inner loop, the north central and northeast freeways, and the north leg of the inner loop, and report to the Congress within 12 months their recommendations, including alternate routes or plans.

Authorization for the south leg of the inner loop is not repealed and that segment remains designated as part of the Interstate System.

*20. Richmond-Petersburg turnpike*

Section 131 authorizes the Secretary to amend an agreement entered into in 1964 with the State of Virginia relative to Federal participation in the cost of approaches to the Richmond-Petersburg Turnpike.

*21. Airport access*

Section 132 requires the State highway departments in preparing programs to be submitted in accordance with section 105(a) of title 23, United States Code, to give consideration to projects providing direct and convenient public access to public airports and ports for water transportation, and in approving such programs the Secretary shall give consideration to these projects.

*22. Federal participation in the improvement of toll roads*

Section 133 would authorize Federal participation in the construction of toll roads which have only two lanes of traffic and which are on the Interstate System in order to bring said roads up to the geometric and construction standards required for the Interstate System (including at least four lanes) on the same basis as in the case of free interstate highways. This provision is limited to two-lane toll roads which were designated as parts of the Interstate System before June 30, 1968. Future tolls, less the actual costs of operation and maintenance, must be applied to repayment of outstanding bonds, and the road thereafter to become free to the public. (This provision is primarily applicable to the West Virginia Turnpike.)

*23. Fringe and corridor parking facilities*

Section 134 enacts as a continuing program the demonstration parking program provided by the 1968 Federal-Aid Highway Act. Funds for fringe and corridor parking facilities are from authorizations available for the Federal-aid urban system. These parking areas are not intended for use by onsite developers.

*24. Economic, social, environmental, and other impacts*

Section 135 requires that the certification and transcript of public hearings must be accompanied by a report indicating the consideration given to economic, social, environmental and other impacts of the plan, highway location, or design, and various alternatives raised at the hearings or otherwise considered.

Section 136 amends various provisions of title 23 by requiring the issuance of guidelines to minimize possible soil erosion from highway construction and the issuance of guidelines to assure that possible adverse economic, social, and environmental effects relating to any proposed Federal-aid highway projects have been fully considered in developing such project and that final decisions take into consideration the need for fast, safe, and efficient transportation, public services, and the cost of minimizing such adverse effects along with certain specified possible adverse effects.

*25. Alaskan assistance*

Section 138(a) amends the special Alaska Highway authorization in the Federal-Aid Highway Act of 1966 to authorize an additional \$20 million for each of the fiscal years 1972 and 1973 for construction of Federal-aid highways in Alaska.

### *26. Ferryboats*

Section 139 authorizes the Secretary to permit Federal participation in the construction of ferryboats, toll or free, provided that it is not feasible to build a normal highway structure in lieu of such ferries, that the ferryboats will be operated on a route approved as a part of a Federal-aid system, other than the Interstate System, that the ferries are publicly owned and operated, that all revenues derived be applied to the cost of operation, maintenance, and repair, and that ferry routes be within a State or between adjoining States and not in international waters. The Federal investment is protected in the event such ferries are sold, leased, or otherwise disposed of.

### *27. Future additions to Interstate System*

Section 140 authorizes a State to request the Secretary to designate any primary system highway, which is a logical addition or connection to the Interstate System, as a future part of the system, if it otherwise meets the requirements for designation as a part of the system, and the State agrees to build the highway to interstate standards within 12 years from the date of the agreement. No special Federal financing is made available for such construction, but the States may use whatever Federal-aid highway funds are available for construction of Federal-aid primary highways.

No signing, marking, or other reference to a highway designed under this provision as a part of the Interstate System may be made prior to the time that it is actually constructed to interstate standards and designated as a part of the system.

### *28. Cost reduction*

Under section 142, the Secretary is authorized to secure a value-engineering or other cost-reduction analysis of the plans, specifications, and estimates for proposed Federal-aid highway projects when he determines such action advisable. Such analysis may not be used to delay a decision on a project.

### *29. Urban transportation planning*

Section 143 amends section 134 of title 23, to require that, before any highway project can be constructed in an urban area of 50,000 population or more, responsible public officials in the area must have been consulted and their views considered with respect to the corridor, the location, and the design of the project.

It also authorizes the Secretary to define those contiguous interstate areas in which the movement of persons and goods between principal metropolitan areas, cities, and industrial centers has reached, or is expected to reach, a critical volume in relation to capacity of existing and planned transportation systems to efficiently accommodate present transportation demands and future growth.

After consultation with responsible State and local officials, the Secretary may designate by regulation as a critical transportation region or corridor those areas most urgently requiring accelerated development of transportation systems and, after notification of the Governors and local officials of that designation, he may provide by regulation for the establishment of planning bodies to assist in the

development of coordinated transportation planning and extend assistance, including financial assistance, to such bodies. Five hundred thousand dollars is authorized for this purpose out of the general fund.

*30. Study of relationship of highway construction to public transportation services (sec. 144)*

This section would direct the Secretary to study the use of existing highway facilities for highway public transportation service, need for additional facilities to accommodate such service, and appropriate funding, and to submit to Congress a report, together with recommendations, by January 1, 1972.

*31. St. Clair River Bridge (sec. 145)*

This section permits certain Federal-aid highway funds paid to the State of Michigan for construction of the bridge, and approaches thereto, over the St. Clair River at Port Huron, Mich., to be repaid to the United States. This repayment is to be credited to the unprogrammed balance of Federal-aid highway funds of the same class last apportioned to Michigan. The amount so credited shall be in addition to all other funds then apportioned to the State and available for expenditure in accordance with title 23, United States Code. Upon this repayment being made, the bridge and its approaches shall be free of all restrictions with respect to the imposition and collection of tolls or charges thereon in title 23 or in section 17(d) of the act of August 30, 1935, or any regulation or agreement thereunder. Tolls or charges imposed and collected on such bridge or for the use thereof are not to exceed the amount necessary for proper maintenance, repair, and operation under economical management.

TITLE II. HIGHWAY SAFETY ACT OF 1970

*1. National Highway Traffic Safety Administration (sec. 202)*

This section provides statutory authority to complete the reorganization of the National Highway Safety Bureau already administratively undertaken by the Secretary of Transportation. This section establishes within DOT a National Highway Traffic Safety Administration. Responsibility for carrying out the provisions of the Highway Safety Act of 1966 are divided between the Federal Highway Administration (within respect to highway design, construction and maintenance, traffic control devices, identification and surveillance of accident locations, and highway-related aspects of pedestrian safety) and the newly created National Highway Traffic Safety Administration (with respect to all other matters).

This section provides for the apportionment to the States of funds authorized to be appropriated for carrying out State and local highway safety programs based 75 percent on population and 25 percent on public road mileage, with each State receiving at least one-third of 1 percent of the total apportionment.

No new safety program standards may be promulgated unless submitted 90 days prior thereto to the Congress.

Authorizations for carrying out the Highway Safety Act of 1970 are as follows:

## HIGHWAY SAFETY AUTHORIZATIONS

[In thousands of dollars]

	Fiscal year—	
	1972	1973
National Highway Traffic Safety Administration:		
Highway safety programs (sec. 402)-----	75,000	100,000
Highway safety research and development (sec. 403)-----	70,000	115,000
Federal Highway Administration:		
Highway safety program (sec. 412)-----	30,000	30,000
Highway safety research and development (secs. 403 and 307(a))-----	10,000	10,000

In the case of each of the foregoing authorizations, there is a requirement that two-thirds of all funds authorized and expended in any fiscal year be appropriated from the highway trust fund and one-third from the general fund. This is based on the annual vehicle miles of travel on Federal-aid highways and other public roads.

### 2. *State highway safety agency*

Section 203 would require that the Governor of each State carry out the State and local community highway safety program through a State agency which shall have adequate powers and be suitably equipped and organized to carry out the program to the satisfaction of the Secretary. A State may designate an existing agency for this purpose.

### 3. *Bridge reconstruction and replacement (sec. 204)*

This section would establish a replacement for significantly important bridges on any Federal-aid system which bridges are unsafe because of structural deficiencies, physical deterioration, or functional obsolescence. A national priority inventory based upon serviceability, safety, and essentiality for public use shall be prepared. Monetary authorization from the highway trust fund for fiscal year 1972 is \$100 million and for 1973 is \$150 million. The Federal share is 75 percent of the cost of each project.

### 4. *Rail crossing demonstration projects*

Section 205 authorizes the Secretary to carry out a demonstration project for the elimination of all public ground level rail-highway crossings along the route of the high-speed rail demonstration project between Washington, D.C., and Boston, Mass.; and a demonstration project for the elimination or protection of certain public ground level rail-highway crossings in, or in the vicinity of, Greenwood, S.C.

The Federal share for such work involving a Federal-aid highway crossing shall be 90 percent and the railroad's share shall be 10 percent. On a non-Federal-aid highway crossing, the Federal share shall be 80 percent, the railroad's share shall be 10 percent, and the State's share shall be 10 percent.

The section authorizes \$9 million to be appropriated from the highway trust fund to pay the Federal share of work done involving Federal-aid highway crossings and \$22 million from the general fund of the Treasury to pay the Federal share of work done involving non-Federal-aid highway crossings.

In addition, the Secretary shall, in cooperation with State highway departments, conduct a study of the problem of providing in-

creased highway safety at public and private ground-level rail-highway crossings throughout the country, and report his findings and recommendations to the Congress not later than July 1, 1972, including an estimate of the cost of such a program. Funds authorized for carrying out highway research and planning under 23 U.S.C. 307 are authorized to be used to carry out this study.

### TITLE III. EXTENSION OF HIGHWAY TRUST FUND

Title III extends the highway trust fund for 5 years, until October 1, 1977. It postpones for 5 years those tax rate reductions scheduled to take effect at the expiration of the trust fund under present law on October 1, 1972. It also extends for 5 years the provisions dealing with payments out of the trust fund, including payments to the land and water conservation fund.

#### THE FEDERAL-AID HIGHWAY ACT OF 1970—NEW AUTHORIZATIONS FOR APPROPRIATIONS (TOTALS FOR FISCAL YEARS 1972 AND 1973, EXCEPT WHERE OTHERWISE INDICATED)

[In thousands of dollars]

	General fund	Highway trust fund
Interstate system (1974-76).....		9,885,000
Federal-aid primary and secondary systems and their urban extensions.....		2,200,000
Federal-aid primary and secondary systems in rural areas.....		250,000
Federal-aid urban system.....		200,000
TOPICS.....		200,000
Forest highways.....		66,000
Public lands highways.....		32,000
Economic growth center development highways.....		100,000
Alaskan assistance.....		40,000
Baltimore-Washington Parkway.....		65,000
Forest development roads and trails.....	340,000	
Public lands development roads and trails.....	15,000	
Park roads and trails.....	30,000	
Parkways.....	40,000	
Indian reservation roads and bridges.....	60,000	
Territorial highway program (1971-73) (Virgin Islands, Guam, American Samoa).....	13,500	
Darien Gap.....	100,000	
Bridges on Federal dams.....	3,761	
Beautification:		
Outdoor advertising.....	97,500	
Junkyards.....	11,000	
Landscaping and scenic enhancement.....	11,500	
Administrative.....	6,000	
Highway Beautification Commission.....	200	
Total.....	126,200	
Total new Federal-Aid Highway Act authorizations.....	728,461	13,038,000
Combined total (general and trust funds).....	13,766,461	

#### THE HIGHWAY SAFETY ACT OF 1970—NEW AUTHORIZATIONS FOR APPROPRIATIONS FOR FISCAL YEARS 1972 AND 1973

[In thousands of dollars]

	General fund	Highway trust fund
By the National Highway Traffic Safety Administration:		
State and local community safety programs (sec. 402).....	+58,333	+116,666
Highway safety research and development (sec. 403).....	+61,666	+123,332
By the Federal Highway Administration:		
Highway safety programs (sec. 402).....	20,000	40,000
Highway safety research and development (secs. 403 and 307(a)).....	+6,666	+13,332
Bridge reconstruction and replacement.....		250,000
Rail crossings.....	22,000	9,000
Total highway safety authorizations.....	+168,665	+552,330
Combined total (general and trust funds).....	+720,995	

## COMBINED TOTALS OF NEW AUTHORIZATIONS

[In thousands of dollars]

	General fund	Highway trust fund
The Federal-Aid Highway Act of 1970.....	728,461	13,037,000
The Highway Safety Act of 1970.....	+168,665	+552,330
Combined safety-highway authorizations.....	+897,126	+13,590,330
Grand total authorizations (includes general and trust funds).....	+14,487,456	

## River and Harbor and Flood Control Act of 1970

(Public Law 91-411)

The Omnibus Rivers and Harbors and Flood Control Act of 1970—Public Law 91-411—authorizes the Army Corps of Engineers to construct, modify, or otherwise participate in the provision of 31 flood control, navigation, water conservation, and other water resources projects, plus two projects authorized in special sections, having an estimated Federal cost of \$592,215,000.

This includes 20 flood control (including multiple-purpose) projects at a cost of \$422,634,000; 12 navigation projects at an estimated Federal cost of \$169,341,000; and one beach erosion project at an estimated Federal cost of \$240,000. The act authorizes 23 surveys for flood control and allied purposes and 19 surveys in the interest of navigation and beach erosion control.

The act also provides increased monetary authorization totaling \$1,400,000 for the Upper Mississippi River Basin plan. Limits have been placed by previous authorization acts on the total appropriation which could be made to projects included in this basin plan. Increases are necessary at this time to permit additional appropriations to be made. The increases will permit the appropriation of funds necessary to meet scheduled funding requirements on planning and construction projects through calendar year 1971.

Listings of new construction and other authorizations with description and estimated cost, where appropriate, follow. The initials before the projects indicate: N (navigation); FC (flood control); BE (beach erosion control); MP (multiple purpose); and HFC (hurricane flood control). Surveys are listed separately under appropriate headings.

Type	Project	Improvement	Cost
	California:		
FC	Goleta and vicinity.....	Channel improvements and levees.....	\$13,830,000
MP	Merced County streams.....	7 reservoirs, levees, and channels.....	37,260,000
MP	Cottonwood Creek.....	Dutch Gulch and Tehama Reservoirs.....	40,000,000
	Florida:		
N	Port Sutton, Tampa Harbor.....	Channel maintenance.....	Maintenance
N	Tampa Harbor.....	Channel improvements.....	40,000,000
BE	Lido Key.....	Beachfill and nourishment.....	240,000
	Hawaii:		
N	Nawiliwili Harbor.....	Channel improvements.....	1,952,000
MP	Kaneohe-Kailua.....	Reservoir and channel improvements.....	7,249,000
	Iowa:		
FC	Mississippi River at Davenport.....	Levees, floodwalls, interior drainage, and reservoir.	12,263,000
	Kansas:		
FC	Arkansas-Red River Basin water quality control. (See Oklahoma.) Blue River. (See Missouri.)		

Type	Project	Improvement	Cost
FC	Louisiana: Eastern Rapides and south-central Avoyelles Parishes. Sabine River Basin. (See Texas.)	Outlet channels, spoil-bank levees, and a diversion structure.	15,333,000
N	Maryland: Baltimore Harbor	Channel improvement	40,000,000
N	Massachusetts: Pleasant Bay	Channels, anchorages, and dike and jetties	10,221,000
FC	Michigan: Red Run Drain and Lower Clinton River Channel improvement.		40,000,000
FC	Minnesota: Wild Rice River	Twin Valley Reservoir	8,359,000
FC	Missouri: Blue River	Channel improvements and 4 reservoirs	40,000,000
MP	New York: Ellicott Creek	Sandridge Reservoir and channel improve- ments.	19,070,000
N	North Carolina: Manteo (Shallowbag) Bay	Channel improvements and jetties	10,769,000
N	Atlantic Intracoastal Waterway	Replacement of 5 bridges	11,220,000
N	Pamlico River and Morehead City Harbor.	Channel improvement	2,642,000
MP	North Dakota: Sheyenne River	Kindred Reservoir	20,000,000
FC	Souris River	Burlington Reservoir and channel improve- ments.	29,240,000
FC	Oahe Dam and Reservoir, Missouri River Basin.	Acquisition of lands for wildlife management area.	732,000
FC	Ohio: Mill Creek	Levees and channel improvement	32,642,000
MP	Oklahoma: Deep Fork River	Arcadia Reservoir	24,900,000
FC	Arkansas-Red River Basin water quali- ty control.	Chloride control project	
N	Oregon: Coos Bay	Channels, turning basins, and anchorage area	9,100,000
FC	Texas: Arkansas-Red River Basin water quali- ty control (see Oklahoma).		
N	Freeport Harbor	Channel and jetty improvements	13,710,000
MP	Sabine River Basin	Channel improvement, 3 reservoirs, and navi- gation channel.	40,000,000
N	Virginia: Baltimore Harbor (see Maryland)		
FC	Puerto Rico: Portugues River	Portugues Reservoir	11,110,000
FC	Cerrillos River	Cerrillos Reservoir	16,351,000
FC	Ponce	Channel improvements	14,295,000
	Total		562,488,000
N	Projects in special sections: Section 113 New York Harbor drift removal.		16,227,000
N	Section 118 Ouachita and Black River, Arkansas and Louisiana.		13,500,000
	Grand total		592,215,000
Other authorizations:			
N	Acquisition of real property Anchorage, Alaska	Defines real property compensation Authorizes investigation of feasibility of Fed- eral mortgage insurance.	
N	Arkansas River and tributaries, Okla. Assistant Secretary of Army for civil works.	Provides for approach roads and bridge con- struction across Spaniard Creek. Modifies sec. 3013, title 10 and sec. 5315, title 5, U.S. Code to add Assistant Secretary of Army for civil works.	
MP	Auburn-Folsom south unit of central valley project, California.	Authorizes provision of a bridge across North Fork, American River.	
FC	Big Sandy River Basin, Ky., Va., W. Va.	Authorizes modification to provide flood pro- tection measures at Williamson and Mate- wan, W. Va.	10,000,000
FC	Big Sandy River Basin, Levisa Fork, Pikeville, Ky.	Provides for relocation work	
FC	Claremont Dam and Reservoir, N.H.	Provides for deauthorization of existing project	
FC	Coal River Basin, W. Va.	Provides for channel dredging	
BE	Coastal Engineering Research Board	Provides for increase in daily rate paid board members.	
MP	Columbia River Basin	Provides authorization for reimbursement of railroad employees.	900,000

Type	Project	Improvement	Cost
MP	Consultant daily rate..... Cuyahoga River Basin, Ohio.....	Provides for rate increase for consultants..... Provides study and work authorization in interest of environmental quality and flood control.	
FC	East Grand Forks, Minn..... Economic, social, and environmental guidelines.	Extends project authorization time limitation to Apr. 17, 1975. Provides for submission of guidelines for projects to Congress not later than July 1, 1972.	
N	Federal Water Pollution Control Act....	Provides modification of act to exclude certain type vessels.	
FC	Flood plain information studies, sec. 206 of FC Act of 1960.	Provides for increase of monetary limitation of funds for studies from \$7,000,000 to \$11,000,000.	
MP	Fort Randall Project, South Dakota....	Provides for study of operations to determine advisability of project modification or impounded water regulation.	
MP	Gavins Point Dam, Nebr.....	Provides authorization for resolving drainage seepage problems.	7,800,000
N	Great Lakes and St. Lawrence Seaway, extension of navigation season.	Provides authorization for survey, demonstration program and insurance rate study.	6,500,000
Hurr-BE	Hurricane protection project.....	Provides modifications in Federal participation in cost sharing for such projects.	
N	Illinois and Mississippi Canal, Ill.....	Provides authorization to carry out R. & H. Act of 1958 provisions and adds funds for repair and maintenance.	8,528,000
FC	Klamath River, Calif.....	Provides for bank protection.....	
FC	Libby Dam, Mont.....	Provides for construction of central sewage collection and sewage treatment facility.	
FC	Lower Guadalupe River, Tex.....	Provides for removal of log jams.....	
FC	Lower Mississippi River Basin.....	Extends project limits for bank protection upstream to Cairo, Ill.	
FC	Lower Mississippi River Basin.....	Provides for relocation of transmission lines in Obion Creek, Ky., at Federal cost.	
MP	Missouri River Basin, Bismarck, N. Dak. Mobridge, S.Dak.	Authorizes bridge construction across Missouri River.	
MP	Missouri River Basin, Garrison Reservoir, N.Dak.	Authorizes bridge construction across Little Missouri River.	
MP	Navarro Mills Reservoir Tex.....	Authorizes raising and relocation of road.....	
N, BE	Navigation and beach erosion, small projects.	Increases Federal expenditure limitation from \$500,000 to \$1,000,000 per project. Increases yearly amounts for each category from \$10,000,000 to \$25,000,000.	
N	New York Harbor.....	Modifies project for collection removal of drift according to plans in the office, Chief of Engineers subject to approval of the Secretary of Army and President.	16,227,000
FC	North Branch, Chicago River, Ill.....	Authorizes channel clearing.....	200,000
N	Ohio River at Newburgh, Ind.....	Authorizes bank revetment works.....	
N	Ouachita and Black River, Ark. and La.	Provides for land acquisition for national wildlife refuge.	13,500,000
MP	Perry Dam and Reservoir, Kans.....	Provides for road paving.....	
N	Port Orford, Oreg.....	Provides for channel maintenance.....	
FC	Prohibition of dumping.....	Prohibits dumping and trash and garbage disposal and sets punishment for violations at Federal installations.	
FC	Review of authorized projects.....	Authorizes review of operations at completed projects in case conditions warrant modifying of projects, and to report such changes to Congress.	
N	Saint Georges Creek, Md.....	Authorizes study and channel construction.....	475,000
N	Santa Barbara Harbor, Calif.....	Provides for Federal maintenance.....	
N	Small boat harbor projects.....	do.....	
N	Small-boat navigation projects.....	Provides that charter fishing craft be considered as commercial vessels.	
N	Spoil disposal facilities.....	Authorizes construction, operation, and maintenance of such facilities and cost sharing.	
MP	Study of strip mining operations.....	Authorizes review and report to Congress on effects of strip mining on navigable rivers and tributaries with recommendations of necessary mitigation measures.	
MP	Summersville Lake, W.Va.....	Authorizes study to determine if facilities or water impoundment needs modification.	
MP	Susquehanna River, comprehensive....	Authorizes cooperative study for comprehensive development of water conveyance systems, regional waste treatment, interceptor and holding facilities, waste treatment and methods for recharge of ground water.	
N	Trinity River and tributaries, Tex.....	Provides that local interests be credited for work done.	75,000

Type	Project	Improvement	Cost
FC	Upper Kentucky and Licking River Basins, Ky.	Cooperate with Federal and non-Federal agencies in determining desirability and feasibility of establishing national recreation area.	-----
MP	Upper Mississippi River Basin----- Water resources planning-----	Provides increase in monetary authorization to prosecute comprehensive plan. Defines 4 planning objectives desired by Congress.	1,400,000 -----
MP	Water resources planning studies in Puerto Rico.	Authorizes Corps to cooperate with Puerto Rico in study and report to Congress on water resource development.	-----
MP	Water resources planning study for Western United States. Water resources projects-----	Authorizes Corps participation in planning----- Provides for requirement of written agreement by a legally constituted body for cooperation prior to construction of any project commencing after Jan. 1, 1972.	----- -----

## NAVIGATION SURVEYS

Elk River, Md.  
Ewa Beach, Oahu, Hawaii.  
Hanauma Bay, Oahu, Hawaii.  
Harbors and rivers, American Samoa and Territory of Guam.  
Hauula area, Oahu, Hawaii.  
Kaaawa area, Oahu, Hawaii.  
Kanawha and James Rivers, W. Va. and Va.  
Kaneohe Bay, Oahu, Hawaii.  
Keehi Lagoon area, Oahu, Hawaii.  
Maile-Waianae coast area, Oahu, Hawaii.  
Maunalua Bay, Oahu, Hawaii.  
Mokuleia area, Oahu, Hawaii.  
Patapsco River, Brooklyn, Md.  
Sandy Beach Park, Oahu, Hawaii.  
Shooters Island, N.Y.  
Stillpond Creek, Kent County, Md.  
Ventura Marina to Ventura Keys, Ventura County, Calif.  
Wailua, Kauai, Hawaii.  
West Hawaii, Kona area, Hawaii, Hawaii.

## FLOOD CONTROL SURVEYS

Black Creek, Clay County, Fla.  
Black River, Lorain County, Ohio.  
Coody Creek, Muskogee, Okla.  
Grand Lake, St. Marys, Ohio.  
Great Swamp, New River Basin, S.C.  
Hanalei River, Kauai, Hawaii.  
Huron River, Ohio.  
Kaaawa Stream, Oahu, Hawaii.  
Kahana Stream, Oahu, Hawaii.  
Kamananui Stream, Oahu, Hawaii.  
Kapaa Stream, Kauai, Hawaii.  
Kona, Hawaii, Hawaii.  
Makaha Stream, Oahu, Hawaii.  
Moanalua Stream, Oahu, Hawaii.  
Olowalu Stream, Maui, Hawaii.  
Palai, Four Mile Creek, Hawaii, Hawaii.  
Streams flowing through West Brazoria County Drainage District No. 11 in Brazoria County, Tex.  
Vermilion River, Ohio.  
Waihee Stream, Oahu, Hawaii.  
Waikane Stream, Oahu, Hawaii.  
Waikele Stream, Oahu, Hawaii.  
Waikomo Stream, Kauai, Hawaii.  
Waolani Stream, Oahu, Hawaii.

## Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970

(Public Law 91-646)

This act, effective January 2, 1971, provides for uniform relocation assistance and a uniform real property acquisition policy when real property is acquired in connection with a Federal or federally assisted project or program.

The purpose of the act, as set forth in section 201 (declaration of policy), is to establish a uniform policy for the fair and equitable treatment of persons displaced as a result of Federal and federally assisted programs in order that such persons shall not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole.

Title I contains the general provisions of the law.

Section 101 defines the following terms:

“Displaced person” is one who after January 2, 1971—

1. Moves from real property,

2. Moves his personal property from real property as a result of Government acquisition, or a written order of the acquiring agency to vacate. Also includes for purpose of moving expense and assistance a person who moves (from his dwelling) because of acquisition or notice to vacate other real property on which he conducted business or farm.

“Business” means any lawful activity conducted primarily for—

1. Purchase, sale, lease, and rental of personal and real property—and manufacture, marketing, and so forth, of products and commodities.

2. Sale of services.

3. Nonprofit organization.

4. For limited purposes, outside sign displays.

“Farm operation”—production of agricultural products, including timber, for sale or home use.

Title II covers uniform relocation assistance under the act.

As stated above, the underlying policy of the act is set forth in section 201.

Section 202(a) provides that displaced persons receive, upon proper application approved by agency head, payment for—

1. Actual *reasonable expenses* in moving himself, family, business, farm operation or other personal property.

2. Actual direct losses of tangible *personal property but not to exceed* an amount equal to *reasonable* expense of relocating such property, as determined by agency head.

3. Actual *reasonable* expenses in *seeking* a replacement *business* or *farm*.

Section 202(b) provides that the person displaced from a dwelling may accept, in lieu of above—

1. A moving allowance not to exceed \$300, and

2. A dislocation allowance of \$200.

Section 202(c) provides that, under certain circumstances, a displaced person from business or farm may accept in lieu of actual ex-

penses a fixed payment equal to the average annual earnings, but not less than \$2,500, or more than \$10,000. Average annual earnings mean one-half of net earnings before all income taxes during 2 years immediately preceding tax year in which move is made.

Section 203(a)(1) provides for a replacement housing payment of up to \$15,000 for homeowners who have occupied the property for 180 days prior to initiation of negotiations. This payment includes:

(A) An amount to bridge the gap, if any, between the price paid by the acquiring agency and the actual reasonable cost the homeowner must pay for the replacement dwelling which is decent, safe, and sanitary, reasonably accessible to public services and place of employment, and available on private.

(B) Reimbursement for increased interest costs over interest costs over interest the owner is paying on an existing mortgage on property he sold.

(C) Reimbursement for reasonable expenses of title evidence, recording fees, and other closing costs but not including prepaid expenses.

(2) These expenses paid only if party purchases and occupies a replacement dwelling within 1 year from receipt of his payment from the United States or the date on which he moves from the property acquired.

Section 203(b) authorizes head of Federal agency having insurance authority to insure mortgages on replacement dwelling and waives specific conditions relating to age, physical condition, and other personal characteristics of eligible mortgagors.

Section 204 authorizes payments for replacement housing for tenants and certain others and provides that when a tenant actually and lawfully occupies a dwelling for 90 days prior to start of negotiations, a tenant may be paid, either—

1. Amount necessary to rent for not more than 4 years a decent, safe, and sanitary place, not to exceed \$4,000, or

2. Amount of downpayment on a purchase, but not to exceed \$4,000, except if over \$2,000 he must match the excess.

Section 205 requires that the agency head provide a relocation assistance advisory program for displaced persons, or to persons occupying property adjacent to that acquired when determination is made such person is caused substantial injury.

Section 206 authorizes housing replacement by Federal agency. Under this act people are not required to move from dwelling because of Federal project unless agency head is satisfied replacement housing is available.

If project cannot proceed because sale or rental housing is not available, and cannot otherwise be made available, agency head may take necessary action to provide such housing using project funds.

Section 207: Under this section property contributed by a State agency to Federal project cannot be accepted until State has provided the assistance called for in the act.

The State agency shall pay the cost of such requirements in the same manner and to the same extent as the real property acquired for such project, except that in the case of any real property acquired or

displacement occurring before July 1, 1972, such Federal agency shall pay 100 percent of the first \$25,000.

Section 208 provides that whenever real property is acquired by the State at the request of a Federal agency for a Federal program such acquisition shall be deemed an acquisition by the Federal agency having jurisdiction over such program.

Section 209 covers public works programs and projects of the government of the District of Columbia and of the Washington-Metropolitan Area Transit Authority.

Section 210 prohibits approved grants to, or contracts with, State agency in connection with federally assisted programs or projects which will result in the displacement of a person unless the State agency provides satisfactory assurances that—

1. Fair and reasonable relocation payments and assistance will be provided to or for displaced persons, as are required to be provided by a Federal agency under sections 202, 203, and 204 of this title;

2. Relocation assistance programs offering the services described in section 205 will be provided to such displaced persons;

3. Within a reasonable period of time prior to displacement, decent, safe, and sanitary replacement dwellings will be available to displaced persons in accordance with section 205(c)(3).

Section 211(a) provides that State agency costs of providing payments and assistance under sections 206, 210, 215, and 305 shall be included as project costs, that State agency shall be eligible for Federal financial assistance with respect to such payments to the same extent as other project costs except that where Federal financial assistance is by grant or contribution, Federal agency shall pay first \$25,000 of State agency payments and assistance for a displaced person and where Federal assistance is by loan, Federal agency shall loan State agency first \$25,000 of such cost.

Section 211(b) provides that no payment or assistance under section 210 or 305 shall be required or included as a program or project cost under this section, if the displaced person receives a payment required by the State law of eminent domain which is determined by such Federal agency head to have substantially the same purpose and effect as such payment under this section, and to be part of the cost of the program or project for which Federal financial assistance is available.

Section 211(c) provides for amendments to contracts with State agency executed before effective date of title II to provide cost of payments and services under sections 210 and 305. Further provides discretionary authority for advance payment to State agencies of Federal share of cost of payments and assistance by State agency under sections 206, 210, 215, and 305 of the act.

Section 212 provides that State agency may contract with private individual, firm, association, or corporation for services in connection with programs for displaced persons or carry out its functions through a Federal or State agency having an established organization for relocation assistance programs.

Section 213(a) provides that heads of Federal agencies shall consult together on establishment of regulations and procedures concerning

uniform and effective administration of relocation assistance and land acquisition of State or local housing agencies.

Section 213(b) authorizes the head of each Federal agency to establish regulations and procedures necessary to assure that—

1. Payments authorized by act shall be administered fairly, reasonably and uniformly.

2. Upon proper application, authorized payments to displaced person should be made promptly or, in hardship cases, be paid in advance.

3. Persons aggrieved in connection with any determination as to payment eligibility under the act is entitled to administrative review.

Section 213(c) authorizes head of each Federal agency to prescribe such other regulations and procedures, consistent with the provisions of this act, as he deems necessary or appropriate to carry out this act.

Section 214 calls for annual report to the President by head of each Federal agency concerning activities under the act; further, that such reports, together with comments and recommendations, shall be submitted by the President to Congress not later than January 15 beginning in 1972.

Section 215 authorizes Federal loans to facilitate construction or rehabilitation of housing to meet needs of displaced persons.

Section 216 excludes payments received under act from income IRS Code for Federal tax purposes or for eligibility determinations under Social Security Act or other Federal law.

Section 217 brings within purview of the act persons who moves or discontinues a business, or moves personal property, or moves from his dwelling as direct result of projects receiving Federal financial aid under title I of Housing Act of 1949 or title I of Demonstration City and Metropolitan Development Act of 1966.

Section 218 authorizes Administrator of GSA to transfer to State agency surplus Federal real property for replacement housing under conditions set forth therein.

Section 219 brings within purview of act certain persons displaced within a stated area in New York City on or after January 1, 1969, and sets forth conditions of eligibility for payments under the act.

Section 220 repeals specified laws and provides that any rights or liabilities existing under such acts are preserved.

Section 221 establishes the effective dates of the act and sections thereof.

### TITLE III. UNIFORM REAL PROPERTY ACQUISITION POLICY

Section 301 provides that to the greatest extent practicable, heads of Federal agencies shall be guided by the following policies when acquiring real property.

Section 301(1): Make every reasonable effort to negotiate.

Section 301(2): Appraise before starting negotiation and permit owner to accompany appraiser during inspection of the property.

Section 301(3) :

(a) Fix just compensation, in no event less than fair market value.

(b) Promptly offer to buy at that amount.

(c) Give owner written statement of, and summary of basis of, the amount.

Section 301(4) provides that no owner shall be required to surrender possession before—

(a) Payment of purchase price; or

(b) Deposit made in court where D/T is used; or

(c) Deposit made in court of compensation award when condemnation is used.

Section 301(5) : Schedule construction so people will not be required to vacate or move without 90 days' notice of the date by which moving is required.

Section 301(6) : After acquisition, continued occupancy shall be for rent not to exceed FRV for short-term occupier.

Section 301(7) : No coercive actions tending to compel an agreement on price.

Section 301(8) : If condemnation or D/T necessary, owner should not be required to bring suit.

Section 301(9) : Acquire entire property if uneconomic remnant would result.

Section 302 provides that when acquiring land, all buildings on land are also to be acquired. If buildings are owned by third party, a disclaimer should be obtained from the landowner.

Section 303 provides that Government pays owners expenses of—

1. Recording fees, transfer taxes, et cetera.

2. Prepayment penalty for discharging outstanding mortgages.

3. Pro rata portion of real estate taxes.

Section 304 (a), (b), (c) provides, that if real property is acquired by condemnation owner gets reasonable costs, disbursements and expenses, including—

1. Attorneys fees,

2. Appraisal,

3. Engineering fees,

if the final judgment is that condemnation is improper, or the proceedings are abandoned by the United States. In a proceeding under the Tucker Act the court rendering a judgment for the plaintiff, or the Attorney General in settlement of the case may allow such sum as will reimburse the owner for his reasonable costs incurred because of such proceeding.

Section 305 prohibits approval of Federal financial assistance to State unless State furnishes satisfactory assurances that—

1. In acquiring real property it will be guided, to the greatest extent practicable under State law, by the land acquisition policies in section 301 and the provisions of section 302, and

2. Property owners will be paid or reimbursed for necessary expenses as specified in sections 303 and 304.

Section 306 repeals certain acts but preserves rights and liabilities thereunder.

### **River Basin Monetary Authorization and Miscellaneous Civil Works Amendments Act of 1970**

(Public Law 91-282)

This legislation provides increased authorizations for the prosecution of river basin plans for flood control and related purposes under the jurisdiction of the Secretary of the Army and the Chief of Engineers.

This legislation also included other sections amending various water resource development projects throughout the United States as explained below.

H.R. 15166 was originally passed by the House of Representatives on December 9, 1969. The legislation provided for increased monetary authorizations for the prosecution of 13 river basins plans for flood control, navigation and related purposes by the Secretary of the Army and the Chief of Engineers.

Monetary authorizations were first put into effect by the Flood Control Acts of 1936 and 1938. They limit authority to appropriate and expend funds within specified basins or specified major projects, to levels below the total costs of the authorized basin or project developments. In this way they give the Congress opportunity to review and control the rate of accomplishment of the basin plans and major projects to which they apply.

In these plans, the Congress has approved an entire plan for development of a river basin in the interest of flood control, navigation, power, and allied water uses, but limited the amounts of funds to anticipated appropriations for a specified period of years, allowing accomplishment of only part of the plan.

Subsequently, the Congress has augmented some of the previously approved plans, by authorizing additional projects, or modifications of projects, and increased the monetary authorization, to provide for additional appropriations. When the monetary authorization limit of a plan is approached, legislation is required to provide additional authorization so that appropriations can be made to permit the plan to continue. If such legislation is not forthcoming when needed, construction of projects in the basin plan cannot proceed, even if funds have been appropriated for this purpose.

At the time of enactment of this legislation, there were 22 basin development plans which are subject to monetary authorization limitations. The authorization provided to date is, in most instances, adequate for work to be performed through the 1969 construction season, but it is not sufficient to cover the work to be performed during the 1970 construction session.

Deficiencies in monetary authorization would exist in 12 basins, totaling around \$365 million through the end of calendar year 1970. Based on projection by the Corps of Engineers for calendar year 1971,

the deficiencies for the 2 years would involve 13 basins and the total deficit would amount to approximately \$830 million.

H.R. 15166, as it originally passed the House of Representatives in December 1969, contained a table giving a list of the basins, the dates of original authorization, and the amount of increased authorizations needed for the work to be performed through calendar year 1971. The table which I will include in the Record contains the 13 basins listed in section 1 of the House version. The total amount of increased authorization needed for work to be performed through calendar year 1971 is approximately \$830 million.

The table follows:

Basin	Act of Congress	Amount
Alabama-Coosa River.....	Mar. 2, 1945	\$45,000,000
Arkansas River.....	June 28, 1938	89,000,000
Brazos River.....	Sept. 3, 1954	5,000,000
Central and southern Florida.....	June 30, 1948	20,000,000
Columbia River.....	June 28, 1938	263,000,000
Lower Mississippi River.....	May 15, 1928	167,000,000
Missouri River.....	June 28, 1938	109,000,000
Ohio River.....	June 22, 1936	69,000,000
Ouachita River.....	May 17, 1950	18,000,000
San Joaquin River.....	Dec. 22, 1944	18,000,000
South Platte River.....	May 17, 1950	21,000,000
Upper Mississippi River.....	June 28, 1938	2,000,000
White River.....	June 28, 1938	4,000,000

Section 2 of H.R. 15166 as originally passed by the House would authorize to completion the present ongoing Chesapeake Bay Basin comprehensive study. This very important study was authorized by the River and Harbor Act of 1965 in the amount of \$6 million. Section 2 would permit its completion by authorizing an additional \$9 million.

Section 3 modified the flood control project for the Scioto River, Ohio, originally authorized in the Flood Control Act of 1962, and modified by the Flood Control Act of 1965, so as to change the order of construction and permit the construction of urgently needed local protection works at Chilicothe to proceed prior to initiation of work at the Big Darby Reservoir.

Section 4 modified the authorization for the Tocks Island Dam and Reservoir, to be located on the Delaware River, between Pennsylvania and New Jersey, to clarify the authority of appropriate Government agencies to consider an application providing for the use of Tocks Island project water releases as part of a proposed comprehensive pumped storage hydroelectric power development by certain New Jersey companies.

The existing Tocks Island authorization provides for the use of those releases by a conventional Federal powerplant. The modification clarifies the authority of the licensing agencies to consider a proposal that such releases be used by New Jersey companies, instead, as part of a comprehensive pumped storage development.

It has been estimated that this modification will result in a direct construction savings to the United States of \$26 million. In addition payments are to be made by the companies for use of the Government dam in an amount not less than \$1 million annually for at least 50 years.

The Senate version of H.R. 15166, as it passed the Senate on May 28, 1970, essentially accepted all the House provisions; however, there were some minor variations and additions of several features.

In connection with the increased authorization for the central and southern Florida River Basin in section 1 of H.R. 15166 as passed the House, the Senate eliminated this river basin from the list of basins in section 1 of the bill and made the central and southern Florida comprehensive plan, section 2 of H.R. 15166. In lieu of the \$20 million which was authorized in the House-passed version, \$25 million was authorized for the prosecution of the project in the Senate version; \$5 million for that authorization was reserved for the construction of specified works necessary to meet the water requirements of the Everglades National Park, and as soon as practicable, and in any event, upon completion of the specified works, the Secretary of the Army is directed to deliver to the park not less than 315,000 acre-feet annually or 16.5 percent of total deliveries from the project for all purposes including the park, whichever is less.

Section 5 of the Senate version pertaining to Tocks Island was essentially similar to that passed by the House, except that it omitted as unnecessary the clause inserted by the House. It is understood that the power made available under subsection (c) will be allocated with regard to the critical water resource requirements of the Delaware River Basin area.

Section 6 relates to the Benbrook Reservoir, Tex. It authorized the Secretary of the Army to contract with the Benbrook Water and Sewer Authority for the beneficial use of a portion of the waters now impounded by the Benbrook Dam and Reservoir, Tex., for municipal water supply purposes. This provision in H.R. 15166 is identical to H.R. 5278 as it was reported from the House Committee on Public Works on November 17, 1969, and passed the House on December 1, 1969. The gentleman from Texas (Mr. Wright) managed that bill on the floor of the House and did his usual excellent work in securing its passage.

Section 7 modifies the Libby Dam project, Kootenai River, Mont. This section provides that funds made available for that project in an amount not to exceed \$750,000 may be used in participation with the State of Montana to the construction, operation, and maintenance of fish hatchery facilities, and related services by the State of Montana, for mitigation of fish losses occasioned by the project.

Section 8 amends subsection (c) of the first section of the act approved March 18, 1948, as amended by section 108(b) of the act of November 7, 1966, which authorized the city of Rock Island, Ill., to construct an additional span to the existing bridge between Rock Island, Ill., and Davenport, Iowa, by extending for 2 years, until April 1, 1972, the time for commencing construction of the additional span.

Section 9 amends section 15 of the act of July 26, 1956, as amended by Public Law 89-499, approved July 8, 1966, which authorized the Muscatine Bridge Commission to construct a replacement bridge to be located on the Federal-aid primary highway systems of both the States of Iowa and Illinois, by extending for 2 years, until July 8, 1972, the time for initiating bridge construction, and for completion of such work until July 8, 1974.

Section 10 grants the consent of Congress to the construction by the city of Sherman, Tex., of a barrier dam in Lake Texoma which is the reservoir formed by the Denison Dam, in order to provide a municipal and industrial water supply for the city of Sherman, Tex.

### John F. Kennedy Center

(Public Law 91-90)

This legislation amended section 8 of the John F. Kennedy Center Act by increasing the authority for direct appropriations from \$15,500,000 to \$23 million, an increase of \$7.5 million, provided, as in the basic act, that this increase is matched by an equal amount of money, securities, and other property from other sources. In addition, Public Law 91-90, amended section 9 of the John F. Kennedy Center Act by authorizing an increase in the amount of bonds authorized to be issued to pay for the costs of the underground parking facilities by \$5 million from the original \$15,400,000 to \$20,400,000.

The original authorization of \$15,500,000 has been matched by an equivalent amount of gifts as required by present law. It is the committee's understanding that approximately \$5.5 million worth of additional gifts have also been received by the Trustees and may be applied toward matching the additional appropriations authorized by this legislation.

### To Authorize Funds To Carry Out the Purposes of the Appalachian Regional Development Act of 1965, as Amended, and Titles I, II, IV, and V of the Public Works and Economic Development Act of 1965, as Amended

(Public Law 91-123)

#### TITLE I. THE APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 1969

##### *Section 101*

Short title, citing title I as the Appalachian Regional Development Act Amendments of 1969.

##### *Section 102. Administrative expenses of the commission*

Amends section 105 of the Appalachian Regional Development Act of 1965 (hereinafter referred to as "the act") to authorize the appropriation of \$1,900,000 to the Commission for the 2-fiscal-year period ending June 30, 1971, including \$475,000 for expenses of the Federal cochairman, his alternate, and his staff. Commission administrative expenses are shared equally by the Federal Government and the States. The expenses of the Federal cochairman, his alternate, and his staff are borne solely by the Federal Government.

##### *Section 103. Appalachian highway program*

Amends section 201 of the act as follows:

First. Authorizes the appropriation to the President of \$175 million for each of fiscal years, 1970, 1971, and 1972, and \$170 million for fiscal year 1973. This represents a 2-year extension of the highway program

and an increase of \$150 million in the authorization, bringing the total authorization for the program to \$1,165 million.

Second. Makes provisions in sections 106(a) and 118 of title 23, United States Code, relating to the obligation, period of availability and expenditure of Federal-aid highway funds applicable to the Appalachian development highway and local access road programs. This amendment makes clear that Appalachian highway funds allocated to the States by the Commission can be obligated in advance of appropriations in a manner similar to the regular Federal-aid highway programs.

*Section 104. Demonstration health projects*

Amends section 202 of the act as follows:

First. Adds a specific reference to nutrition and child care projects to emphasize the need for increased attention to these elements of comprehensive health care.

Second. Increases, from 50 to 75 percent, the Federal percentage payable in operating grants for demonstration health projects in the third, fourth, and fifth years of project operation.

Third. Makes clear that grants for operating expenses may be made entirely from section 202 funds or in combination with grants from other programs assisting in the operation of health-related facilities or the provision of health services to the maximum percentage authorized by section 202.

Fourth. Adds language providing for emphasis to programs and research for the early detection, diagnosis, and treatment of "black lung" and other occupational diseases arising from coal mining.

*Section 105. Mining area restoration*

Amends section 205 of the act to make clear that the Secretary of the Interior may make grants to the States for planning and executing mine fire projects. Previously, the law had been interpreted as requiring Federal contracting and supervision on all such projects.

The existing maximum 75-25 Federal-State matching ratio for mining area restoration projects is continued for fiscal years 1970 and 1971.

*Section 106. Assistance for planning and other preliminary expenses of proposed housing projects under sections 221 and 236 of the National Housing Act*

Amends section 207 of the act to authorize the Secretary of HUD to provide, directly or through contract with private or public organizations, including the Commission, technical assistance to encourage the establishment of nonprofit and limited dividend groups, including State housing corporations, and to stimulate the construction, rehabilitation, and operation of housing for low- and moderate-income families in the region. Previously, the law had been interpreted to permit the use of section 207 funds only in connection with specifically identifiable housing projects.

*Section 107. Supplemental grants*

Amends section 214 as follows:

First. Makes Federal grant-in-aid programs authorized on or before December 31, 1970, which assist in land acquisition or the construction

or equipment of facilities, eligible for supplemental grants. The previous cutoff date was December 31, 1967.

Second. Permits supplemental grants for sewage treatment projects constructed, in advance of appropriations, under section 8(c) of the Federal Water Pollution Control Act.

*Section 108. Local development districts and demonstrations and training*

Amends section 302 of the act to eliminate the 3-year limitation on financial assistance for administrative expenses of multicounty organizations certified as local development districts. The 3-year limitation is retained for State agencies certified as local development districts.

*Section 109. Authorizations*

Amends section 401 of the act to authorize \$268,500,000 for the 2-fiscal-year period ending June 30, 1971, to carry out nonhighway programs under the act, as follows:

Sec. 202.	Demonstration health projects.....	\$90,000,000
Sec. 203.	Land stabilization, conservation, and erosion control....	15,000,000
Sec. 205.	Mining area restoration.....	15,000,000
Sec. 207.	Housing assistance.....	3,000,000
Sec. 211.	Vocational education.....	50,000,000
Sec. 214.	Supplemental grants.....	82,500,000
Sec. 302.	Administrative expenses of local development districts and research.....	13,000,000

*Section 110. Upper New York study*

Amends section 403 by adding a new provision authorizing a study by the President to determine which, if any, portions of upper New York State should be added to the Appalachian region or the New England region, established under title V of the Economic Development Act of 1965. Study results and recommendations are to be made to Congress no later than June 30, 1970.

*Section 111*

Amends section 405 of the act to conform to the amendment in section 201 continuing the Appalachian Highway program beyond July 1, 1971.

TITLE II. AMENDMENTS TO TITLE V OF THE PUBLIC WORKS AND  
ECONOMIC DEVELOPMENT ACT OF 1965

*Section 201*

Short title, citing title II as the Regional Action Planning Commission Amendments of 1969.

*Section 202. Regional boundaries*

Amends section 501 of Public Works and Economic Development Act of 1965 (hereinafter referred to as "the act") to provide that the Secretary of Commerce, upon request of the Public Works Committee of either House of Representatives or the Senate, will study the advisability of changing the geographical area of any economic development region established under such section.

*Section 203. Regional, technical, and planning assistance; and administrative expenses of commissions*

Amends section 505 of the act as follows:

First. Confirms that regional action planning commissions' administrative expenses after the first 2 years of operations will be shared 50-50 by the Federal Government and the States, except that the Federal Government will continue to pay the full cost of the administrative expenses of the Federal cochairmen and their staffs.

Second. Expands the authority for technical and planning assistance under section 505 of the act to permit broader use of funds for planning, studies, investigations, training programs and demonstration projects (including high-speed ground transportation and marine research activities, et cetera), as follows:

(a) Commissions are given independent authority in subsection 505 (a) (2) to engage in activities which will further the purposes of the act, after programs are approved by the Secretary of Commerce. These activities are to be carried out through the Federal departments or agencies or by contract with private individuals or institutions, or through grants-in-aid to State or local government agencies. Demonstration projects and training programs, to the maximum extent possible, are to be carried out through public agencies or institutions.

(b) The Secretary has separate authority under subsection 505(a) (1) to assist the commissions by undertaking planning, investigations, studies, training programs and demonstration projects which would be useful in aiding the commissions to carry out their functions. Such assistance may be provided through members of his staff or through contract with public agencies or private institutions or firms, or through grants-in-aid to the commissions.

Third. Subsection 505(c) limits the total expenditures by the Secretary for assistance under subsection 505(a) (1) and for administrative expenses of the commissions under subsection 505(b) to a maximum of 10 percent of the funds appropriated for any fiscal year under subsection 509(d) of the act.

*Section 204. Headquarters of Federal cochairmen*

Amends section 506 of the act to direct the Federal cochairman of each regional action planning commission to maintain his headquarters office in the District of Columbia.

*Section 205. Supplements to Federal grant-in-aid programs; title V authorization*

Amends section 509 of the act as follows:

First. Supplemental funds:

(a) Provides additional funds for Federal grant-in-aid programs authorized on or before December 31, 1970, which assist in land acquisition or the construction or equipment of facilities.

(b) Permits section 509 funds to be used for all or any portion of the basic Federal grant for any project authorized by an eligible grant-in-aid program, where funds are not available within the region from the national program for that purpose. The responsible Federal official administering the basic grant-in-aid program must certify that the project meets the requirements of that program and could be approved for a Federal contribution under that program if funds were available.

(c) Continues present authority for supplemental grants under which the total Federal share may be increased to a maximum of 80 percent of the project costs. The degree of supplementation is determined by the applicant's ability to provide matching funds.

(d) The Commission can approve grants for a program under section 509 only if it determines that the level of Federal and State financial assistance for the same type of program in that portion of the State within the region will not be determined in order to substitute section 509 funds.

Second. Title V authorization: Authorizes the appropriation of \$255 million to the Secretary to carry out title V for the 2-fiscal-year period ending June 30, 1971. Provides that the Secretary, after deducting funds authorized for his technical assistance activities and for administrative expenses of the commissions under subsections 505 (a) (1) and 505 (b), shall apportion the remainder of the sums appropriated for any fiscal year to the regional commissions. Not less than 10 percent, nor more than 25 percent of such remaining amounts shall be allocated to any one regional commission. All available funds must be apportioned to the regional commissions prior to the end of the fiscal year for which appropriated.

*Section 206. Coordination; Alaska; regional transportation systems*

Amends title V of the act by adding at the end three new sections as follows:

First. Section 511 requires the Secretary and the Federal cochairman to coordinate their respective activities under titles I, II, and V of this act.

Second. Section 512 authorizes the appropriation of \$500,000 to the Federal Field Committee for Development Planning in Alaska, for the 2-fiscal-year period ending June 30, 1971, to plan economic development programs and projects in Alaska in cooperation with the State of Alaska. This section does not preclude the establishment of a regional commission for Alaska.

Third. Section 513 authorizes the Secretary of Transportation, acting jointly with the regional commissions, to conduct and facilitate investigations and studies of all types and modes of transportation relevant to the needs of the economic development regions, to carry out demonstration projects incident to such activities, and to report the results, together with his recommendations and those of each regional commission, to Congress not later than January 10, 1971. An additional \$20 million is authorized to carry out this section. This section does not preclude the use of other funds available under any title of the act for authorized transportation projects.

TITLE III. AMENDMENTS TO THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

*Section 301*

Amends section 101 (c) of title I of the Public Works and Economic Development Act of 1965 (hereinafter referred to as "the act") as follows:

First. Permits the Secretary in the case of grants to Indian tribes to reduce or entirely waive the required non-Federal share below the minimum of 20 percent otherwise required.

Second. Amends section 105 to extend the annual authorization of \$500 million to June 30, 1970, for direct and supplementary grants for public works and development facilities.

*Section 302*

Amends section 301 of the act to authorize the Secretary to make grants for any demonstration project within a redevelopment area or areas which he determines is designed to foster regional productivity and growth, prevent outmigration, and otherwise carry out the purposes of this act.

*Section 303*

Amends section 302 of the act to increase the authorization for title III of the act for the fiscal year ending on June 30, 1970, from \$25 to \$50 million.

*Section 304*

Amends section 401 of the act as follows:

First. (a) Requires the Secretary to designate as redevelopment areas those areas selected for assistance under part D of title I of the Economic Opportunity Act of 1964 and authorizes the Secretary to designate as redevelopment areas those areas which he determines meet the purpose of section 150 of part D of title I of the Economic Opportunity Act of 1964 and otherwise meet the requirements of the Economic Development Act.

(b) The purpose of section 150 of the Economic Opportunity Act is to establish special programs for the solution of critical problems in particular communities or neighborhoods (defined without regard to political or other subdivisions or boundaries) within those urban areas having especially large concentrations of low-income persons, and within those rural areas having substantial outmigration to eligible urban areas.

(c) These areas that the Secretary designates are exempt from the population and boundary limitations in section 401(b) (3) and (4) and are not considered a redevelopment area for the purposes of determining the continued eligibility of an area designated in accordance with section 401(d) which requires the designation of at least one redevelopment area in each State.

Second. The areas that the Secretary designates under this amendment would not be eligible to meet the requirements for establishing an economic development district in accordance with section 403(a) (1) (B) of the Economic Development Act.

**To Amend the Public Works and Economic Development Act of 1965 To Extend the Authorizations for Titles I Through IV Through Fiscal Year 1971**

(Public Law 91-304)

*Section 1*

(a) Amends section 105 to extend the annual authorization of \$500 million to June 30, 1971, for direct and supplementary grants for public works and development facilities.

(b) Amends section 201 to extend the annual authorization of \$170 million to June 30, 1971, for public works and development facility loans, business loans, and working capital guarantees.

(c) Amends section 302 to extend the annual authorization of \$50 million to June 30, 1971, for technical assistance, planning grants, research, and demonstration projects.

(d) Amends section 403 to extend the annual authorization of \$500 million for grants and loans to "economic development centers": and 10 percent bonus grants to "redevelopment areas" within districts.

*Section 2*

Amends section 402 to continue until June 1, 1971, the designation of those areas due to be dedesignated July 1, 1970, based on the annual review, unless otherwise requested by the local governing body.

## SPECIAL SUBCOMMITTEE ON THE FEDERAL-AID HIGHWAY PROGRAM

The special subcommittee on the Federal-aid highway program during the 91st Congress continued to monitor the practices, policies and procedures involved in the administration of the highway program. Special attention was directed to those areas which previous inquiries and hearings identified as containing deficiencies and weaknesses. Corrective measures have been taken by the responsible Federal agencies and individual States, but the need for continuous oversight is apparent.

### HIGHWAY SAFETY

Concerned with the tragic accident toll that continues to mount on the Nation's highways each year, the subcommittee carried forward its broad inquiry into the subject of highway safety, design, and operations. Opening phases of this study had analyzed roadside hazards and freeway signing and resulted in significant changes in design and construction practices.

Public hearings in 1969 opened the third phase of the overall safety study, taking a look at the nationwide lack of uniformity of traffic control devices and their effectiveness. Witnesses who enjoy national reputations in the highway safety field testified that traffic control devices, which include signs, signals, and pavement markings, have failed to do the necessary job. Supposed to have been standardized a long time ago, they are not standard. As a result, drivers operate under a confusing network of nonuniform, often contradictory and sometimes even illegal direction that can lead them into danger.

Highway users must depend upon such devices for information, warning, and guidance to such an extent that uniform, high-quality devices are necessary to the productive use and public acceptance of any highway regardless of its excellence in design. Consequently the subcommittee considers this a subject of extreme importance and is pursuing the matter.

### WET WEATHER PERFORMANCE

Attention has also been devoted to the subject of wet weather performance which includes the vitally important relationship between pavement surfaces and the steady growth of highway casualty statistics. During 1969, 15.5 million highway crashes in this country killed 56,400 Americans, while some 2 million others suffered disabling injuries, an intolerable new high. The importance of wet weather accidents is demonstrated by the fact that 9,000 persons were killed in 7,600 accidents while the roads were wet, and 376,000 suffered disabling injuries in 244,000 accidents under similar wet conditions.

These facts and figures, representing what appears to be a wholly disproportionate segment of the whole accident record, clearly merit special and expeditious attention in the judgment of the subcommittee. Preliminary study has already indicated that real improvement can be had in this critical area.

#### ECONOMIC DEVELOPMENT PROGRAMS

During the second session the subcommittee staff, at the direction of the Chair, undertook an examination of the administration of the Economic Development Act and the impact of EDA and related economic development programs which have been established under the jurisdiction of the Public Works Committee. Following several days of public hearings before the Special Subcommittee on Economic Development programs during the second session, the investigative study was expanded and continued through the end of the Congress. An account of the hearings is set forth under another portion of these remarks.

## SPECIAL SUBCOMMITTEE ON ECONOMIC DEVELOPMENT PROGRAMS

The Special Subcommittee on Economic Development Programs during the 91st Congress, first session, was directed by Chairman Fallon to begin a full-scale in-depth study of the economic programs that have been enacted into law through legislation developed by the full committee in recent years. These programs include such acts as the Public Works Acceleration Act, the Area Redevelopment Act, the Appalachian Regional Development Act of 1965, and the Public Works and Economic Development Act of 1965 including the regional commissions that have been established under title V of this act.

As an initial step in undertaking such a comprehensive study, the subcommittee heard from those individuals directly in charge of administering these programs. Testimony was received from the Assistant Secretary of Commerce for Economic Development, the Federal cochairman of the Appalachian Commission, and the Federal cochairman of the regional commissions established under title V of the Economic Development Act. These hearings were held on October 1 and 7, 1969, and can be found in committee print 91-19.

These witnesses supplied the subcommittee with the studies and findings on the effectiveness of the programs that they have made as well as their own judgment and evaluation of the effectiveness of the programs under their jurisdiction. The committee was also advised of the problems that have been encountered by the administrators in attempting to evaluate the programs.

Subsequent to these hearings, the primary effort of the subcommittee was to concentrate on the evaluation of the programs administered by the Economic Development Administration of the Department of Commerce. Completed projects in each program were selected for an in-depth examination and evaluation. A review of the procedures used by the Labor Department in estimating the unemployment rate in small labor areas was made. A review of project management on public works projects and business loans was also made.

The findings of this evaluation and review were presented to the subcommittee at hearings on September 10, 21, and 30, 1970, and can be found in committee print 91-47.

It is expected that the subcommittee will present the report on its evaluation early in the new Congress.

In addition to these activities, the subcommittee made an inspection of the newly completed tourism facilities of the Pipestem addition of Bluestone State Park located near Hinton, W. Va. These projects were funded with the assistance of the Area Redevelopment Administration and the Economic Development Administration. The subcommittee met with the businessmen and officials of Hinton, W. Va., to discuss the effect that these projects have had in increasing the economic growth of this community.

