

Public Law 211

CHAPTER 494

AN ACT

To amend the Federal Airport Act, as amended.

August 3, 1955
[S. 1855]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (3) of section 2 (a) of the Federal Airport Act (49 U. S. C. 1101-1119) is amended to read as follows:

Federal Airport Act, amendment. 60 Stat. 170.

“(3) ‘Airport development’ means (A) any work involved in constructing, improving, or repairing a public airport or portion thereof, including the construction, alteration, and repair of airport passenger or freight terminal buildings and other airport administrative buildings and the removal, lowering, relocation, and marking and lighting of airport hazards, and (B) any acquisition of land or of any interest therein, or of any easement through or other interest in air space, which is necessary to permit any such work or to remove or mitigate or prevent or limit the establishment of, airport hazards; but such term does not include the construction, alteration, or repair of airport hangars.”

“Airport development”.

SEC. 2. The first two sentences of subsection (a) of section 3 of such Act are amended to read as follows:

49 USC 1102.

“SEC. 3. (a) The Secretary is hereby authorized and directed to prepare, and thereafter, at least three months prior to the close of each fiscal year, to revise, a national plan for the development of public airports in the United States, including the Territory of Alaska, the Territory of Hawaii, and Puerto Rico, and the Virgin Islands. Such plan shall specify, in terms of general location and type of development, the projects considered by the Secretary to be necessary to provide a system of public airports adequate to anticipate and meet the needs of civil aeronautics, which projects shall include all types of airport development eligible for Federal aid under this Act and shall not be limited to any classes or categories of public airports.”

National airport plan.

SEC. 3. Section 4 of such Act is amended to read as follows:

49 USC 1103.

“SEC. 4. In order to bring about, in conformity with the national airport plan prepared and from time to time revised as provided in this Act, the establishment of a nationwide system of public airports adequate to meet the present and future needs of civil aeronautics, the Secretary of Commerce is authorized, within the limits of the obligation authority provided in section 5, to make grants of funds to sponsors for airport development as hereinafter provided.”

Development grants.

SEC. 4. Section 5 of such Act is amended to read as follows:

49 USC 1104.

“SEC. 5. (a) For the purpose of carrying out this Act with respect to projects in the several States, there are hereby authorized to be obligated by the execution of grant agreements pursuant to section 12 the sum of \$40,000,000 for the fiscal year ending June 30, 1956, and the sum of \$60,000,000 for each of the fiscal years ending June 30, 1957, June 30, 1958, and June 30, 1959. Each such authorized amount shall become available for obligation beginning July 1 of the fiscal year for which it is authorized, and shall continue to be so available until so obligated.

Appropriations.

49 USC 1111.

“(b) For the purpose of carrying out this Act with respect to projects in the Territories of Alaska and Hawaii, and in Puerto Rico and the Virgin Islands, there are hereby authorized to be obligated by the execution of grant agreements pursuant to section 12 the sum of \$2,500,000 for the fiscal year ending June 30, 1956, and the sum of \$3,000,000 for each of the fiscal years ending June 30, 1957, June 30, 1958, and June 30, 1959. Each such authorized amount shall become available for obligation beginning July 1 of the fiscal year for

49 USC 1111.

which it is authorized, and shall continue to be so available until so obligated. Of each of the amounts authorized by this subsection, 45 per centum shall be available for projects in the Territory of Alaska, 25 per centum for projects in the Territory of Hawaii, 20 per centum for projects in Puerto Rico, and 10 per centum for projects in the Virgin Islands.

“(c) There are hereby authorized to be appropriated such amounts of money as may be necessary to liquidate obligations incurred as authorized by subsections (a) and (b).

“(d) There are hereby authorized to be appropriated such amounts of money as may be necessary for planning and research and for administrative expenses incident to the administration of this Act. As used in this section, the term ‘administrative expenses’ includes expenses under this Act of the character specified in section 204 of the Civil Aeronautics Act of 1938 (49 U. S. C. 424).”

SEC. 5. Section 6 of such Act is amended to read as follows:

“SEC. 6. (a) As soon as possible after July 1 of each fiscal year for which an amount is authorized to be obligated by section 5 (a), 75 per centum of the amount made available for that year shall be apportioned by the Secretary of Commerce among the several States, one-half in the proportion which the population of each State bears to the total population of all the States, and one-half in the proportion which the area of each State bears to the total area of all the States. Each amount so apportioned for a State shall, during the fiscal year for which it was first authorized to be obligated and the fiscal year immediately following, be available only for grants for approved projects located in that State, or sponsored by that State or some public agency thereof but located in an adjoining State, and thereafter any portion of such amount which remains unobligated shall be redistributed and reapportioned as provided in subsection (c) of this section. Upon making an apportionment as provided in this subsection, the Secretary shall inform the executive head of each State, and any public agency which has requested such information, as to the amounts apportioned for each State. As used in this subsection the term ‘population’ means the population according to the latest decennial census of the United States and the term ‘area’ includes both land and water.

“(b) (1) Twenty-five per centum of all amounts authorized to be obligated by section 5 (a) shall, as such amounts become available, constitute a discretionary fund.

“(2) Such discretionary fund shall be available for such approved projects in the several States as the Secretary may deem most appropriate for carrying out the national airport plan, regardless of the States in which they are located. The Secretary shall give consideration, in determining the projects for which such fund is to be so used, to the existing airport facilities in the several States and to the need for or lack of development of airport facilities in the several States.

“(3) Such discretionary fund shall also be available for such approved projects in national parks and national recreation areas, national monuments, and national forests, sponsored by the United States or any agency thereof, as the Secretary may deem appropriate for carrying out the national airport plan; but no other funds authorized under authority of this Act shall be available for such purpose. The sponsor’s share of the project costs of any such approved project shall be paid only out of funds contributed to the sponsor for the purpose of paying such costs (receipt of which funds and their use for this purpose is hereby authorized) or appropriations specifically authorized therefor.

52 Stat. 983.
49 USC 1105.

Apportionment
among States.

“Population”,
“area”.

Discretionary
fund.

“(c) Seventy-five per centum of any amount apportioned for projects in a State pursuant to subsection (a) of this section which has not been obligated by grant agreement at the expiration of the two fiscal years for which such amount was so apportioned shall be reapportioned among the respective States in the manner of apportionment of the original authorization under subsection (a) and the remaining 25 per centum of such amount shall be added to the discretionary fund established by subsection (b), and at the expiration of each succeeding fiscal year any of the amount so reapportioned for a State that still remains unobligated shall again be reapportioned and redistributed in the same manner.”

Reapportionment.

SEC. 6. Section 8 of such Act is repealed.

49 USC 1107.

SEC. 7. The first sentence of subsection (d) of section 9 of such Act is amended to read as follows: “All such projects shall be subject to the approval of the Secretary of Commerce, which approval shall be given only if he is satisfied that the project will contribute to the accomplishment of the purposes of this Act, that sufficient funds are available for that portion of the project costs which is not to be paid by the United States under this Act, that the project will be completed without undue delay, that the public agency or public agencies which submitted the project application have legal authority to engage in the airport development as proposed, and that all project sponsorship requirements prescribed by or under the authority of this Act have been or will be met.”

49 USC 1108.

Project approval.

SEC. 8. The third sentence of section 12 of such Act is amended to read as follows: “Each such offer shall state a definite amount as the maximum obligation of the United States payable from funds authorized by this Act, and shall stipulate the obligations to be assumed by the sponsor or sponsors of the project.”

49 USC 1111.

Grant agreements.

SEC. 9. All amounts authorized by section 4 of this Act to be obligated for grants under the Federal Airport Act shall be additional to all amounts previously appropriated or authorized to be obligated for such purposes. Notwithstanding any other provision of this Act, the balances of such previously appropriated or authorized funds which are unexpended and unobligated on the effective date of this Act shall remain available for obligation and expenditure as originally appropriated or authorized.

Appropriations available.

Approved August 3, 1955.

Public Law 212

CHAPTER 495

AN ACT

August 3, 1955
[H. R. 2866]

To declare a certain portion of the waterway (a section of the Acushnet River) in the city of New Bedford and the towns of Fairhaven and Acushnet, Massachusetts, a nonnavigable stream.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the portion of the waterway in the city of New Bedford and the towns of Fairhaven and Acushnet lying north of the Coggeshall Street Bridge (north 41 degrees 31 minutes 00 seconds), is hereby declared to be a nonnavigable water of the United States within the meaning of the Constitution and laws of the United States. Any project heretofore authorized by any Act of Congress, insofar as such project relates to the above-described portions of the Acushnet River section of New Bedford and Fairhaven Harbor, is hereby abandoned. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Acushnet River,
Mass.
Nonnavigable
stream.

Approved August 3, 1955.