Secretary of Defense shall utilize the services of such carriers which qualify as small businesses to the fullest extent found practicable: *Provided*, That the Secretary of Defense shall specify in such procurement, performance characteristics for aircraft to be used based upon modern aircraft operated by the civil airfleet.

Motor vehicle hire.

SEC. 532. Not to exceed $9,000,000 of the funds made available in this Act for the purpose shall be available for the hire of motor vehicles.

Travel expenses.

SEC. 533. Not to exceed $677,854,000 of the funds made available in this Act shall be available for travel expenses in connection with temporary duty and permanent change of station of civilian and military personnel of the Department of Defense.

Limitation.

SEC. 534. Effective January 1, 1961, no part of any appropriation contained in this Act shall be used to provide flight pay at the rates prescribed in section 204(b) of the Career Compensation Act of 1949 (63 Stat. 802), as amended, for more than 99,046 officers (other than Reserve officers on active duty for training and officers receiving flight pay pursuant to section 514 of this Act and flying student officers).

72 Stat. 124, 125.

Transfer of funds for missile program.

SEC. 535. During the current fiscal year, the Secretary of Defense, should he deem it advantageous to the national defense to accelerate any strategic or tactical missile or satellite program, may transfer under the authority and terms of the Emergency Fund, an additional $150,000,000 for the acceleration of such missile or satellite program or programs: *Provided*, That the transfer authority made available under the terms of the Emergency Fund appropriation contained in this Act is hereby broadened to meet the requirements of this section: *Provided further*, That the Secretary of Defense shall notify the Appropriations Committees of the Congress promptly of all transfers made pursuant to this authority.

Notification to Congress.

Short title.

SEC. 536. This Act may be cited as the "Department of Defense Appropriation Act, 1961".

Approved July 7, 1960.

Public Law 86-602

AN ACT

July 7, 1960
[H. R. 5888]

To authorize the Secretary of the Navy to transfer to the Massachusetts Port Authority, an instrumentality of the Commonwealth of Massachusetts, certain lands and improvements thereon comprising a portion of the so-called E Street Annex, South Boston Annex, Boston Naval Shipyard, in South Boston, Massachusetts, in exchange for certain other lands.

Massachusetts Port Authority. Transfer of land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is authorized to convey to the Massachusetts Port Authority, an instrumentality of the Commonwealth of Massachusetts, subject to the terms and conditions hereinafter in this Act expressly stated, and to such other terms and conditions as the said Secretary of the Navy shall deem to be in the public interest, all the right, title, and interest of the United States in and to that portion of the property known as E Street Annex, South Boston Annex, Boston Naval Shipyard, in South Boston, Massachusetts, including the improvements thereon, and described as follows:

Beginning at a point, said point being the intersection of the easterly side line of E Street, and the northerly side line of West First Street, thence running north 40 degrees 59 minutes 00 seconds east by the easterly side of said E Street, a distance of 1,325.78 feet to a point, thence turning and running south 49 degrees 01 minutes 00 seconds east a distance of 206.25 feet to a point bounded by land of United States of America (United States Naval Station), thence

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turning and running south 40 degrees 59 minutes 00 seconds west a distance of 389.83 feet to a point bounded by land of United States of America (United States Navy, Boston Naval Shipyard), thence turning and running south 49 degrees 01 minutes 00 seconds east a distance of 447.75 feet to a point bounded by land of United States of America (United States Navy, Boston Naval Shipyard), thence turning and running south 40 degrees 59 minutes 00 seconds west a distance of 935.95 feet to a point on the northerly side line of West First Street and bounded by land of the United States of America (United States Navy, District Public Works Officer, First Naval District) and now or formerly by land of Mary I. Murphy, thence turning and running north 49 degrees 01 minutes 00 seconds west a distance of 654.00 feet to the point of beginning; containing in area 15.9 acres of land, more or less, and shown on Public Works Drawing Numbered 981–391–28 titled "Plan of Land in Boston, Massachusetts, South Boston District, Portion of E Street Annex, South Boston, Massachusetts, dated 18 November 1958", reserving to the Government a railroad right-of-way to building numbered 61 on lands retained by the Government and an easement for a water line and subject to a right-of-way for railroad purposes granted to the Port of Boston Authority and a drainage easement to the city of Boston, in consideration of the conveyance by the Massachusetts Port Authority to the United States of America, free of all encumbrances, the following lands, together with any improvements thereon: (a) An area of approximately 60,300 square feet occupied by the United States under permit A–260 issued by the Port of Boston Commission of the Commonwealth of Massachusetts, bearing Department of the Navy instrument numbered NOy(R)–65507; and (b) an area of approximately 109,264 square feet occupied by the United States under permit A–261 issued by the Port of Boston Commission of the Commonwealth of Massachusetts, bearing Department of the Navy instrument numbered NOy(R)–65508.

Conditions.

SEC. 2. The conveyance to the Massachusetts Port Authority authorized by the first section of this Act shall be made subject to the following express conditions: (a) That the Massachusetts Port Authority, at its own expense, will preserve and maintain in a condition suitable for, and not inconsistent with, the purposes of the Authority, the lands and the improvements existing on said property on the date of enactment of this Act, and those which may be constructed thereon after such date of enactment; (b) that in a time of war or national emergency the United States shall have the right of the free and unlimited use of all said property including any improvements which may be erected by the grantee, but the United States shall pay a fair rental for any improvements made after the date of enactment of this Act and shall be responsible during the period of such use for the entire cost of maintaining said property.

Payment.

SEC. 3. (a) As a condition of the exchange of land authorized by this Act the Secretary of the Navy shall require the Massachusetts Port Authority to pay an amount of money equal to the amount, if any, by which the fair market value of the property conveyed by the United States exceeds the fair market value of the property conveyed to the United States, as determined by the Secretary of the Navy.

(b) The Secretary of the Navy is authorized, with respect to any amount determined by him to be payable to the United States pursuant to the provisions of subsection (a), to waive such portion thereof, but not to exceed 50 per centum, as he deems equitable in consideration of the rent free use by the Department of the Navy in past years of the land conveyed hereunder by the Massachusetts Port Authority.

Approved July 7, 1960.