

Public Law 87-820

AN ACT

October 15, 1962
[H. R. 10129]

To amend the Act of September 7, 1957, relating to aircraft loan guarantees.

Aircraft loan
guarantees.

49 USC 1324
note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 2 of the Act of September 7, 1957 (Public Law 85-307; 71 Stat. 629), is amended to read as follows:

"(a) 'Secretary' means the Secretary of Commerce."

SEC. 2. Section 3 of such Act of September 7, 1957, is amended—

(1) by striking out "Board" the first place it appears in the first sentence of such section 3 and inserting in lieu thereof "Secretary";

(2) by inserting "Civil Aeronautics" immediately preceding "Board" the second place it appears in such first sentence;

(3) by striking out the term "United States" each place it appears in clause (c) of such first sentence and inserting in lieu thereof in each such place "forty-eight contiguous States"; and

(4) by striking out "Board" where it appears in the second sentence of such section 3 and inserting in lieu thereof "Secretary".

SEC. 3. Section 4 of such Act of September 7, 1957, is amended—

(1) by striking out "\$5,000,000" in subsection (d) and inserting in lieu thereof "\$10,000,000"; and

(2) by striking out "Board" in subsections (e) and (f) and inserting in lieu thereof in each of such subsections "Secretary".

SEC. 4. Section 5 of such Act of September 7, 1957, is amended by striking out "Board" and inserting in lieu thereof "Secretary".

SEC. 5. (a) Subsection (a) of section 6 of such Act of September 7, 1957, is amended—

(1) by striking out "it" the first place it appears therein and inserting in lieu thereof "him";

(2) by striking out "it" the second place it appears therein and inserting in lieu thereof "he"; and

(3) by striking out "Board" and inserting in lieu thereof "Secretary".

(b) Section 6 of such Act of September 7, 1957, is amended by adding at the end thereof the following new subsection:

"(c) The Secretary shall make available to the Comptroller General of the United States such information with respect to the loan guaranty program under this Act as the Comptroller General may require to carry out his duties under the Budget and Accounting Act, 1921."

SEC. 6. Section 7 of such Act of September 7, 1957, is amended by striking out "Board" in subsections (b) and (c) and inserting in lieu thereof in each of such subsections "Department of Commerce".

SEC. 7. Section 8 of such Act of September 7, 1957, is amended by striking out "five" and inserting in lieu thereof "ten".

SEC. 8. Section 410 of the Federal Aviation Act of 1958 (49 U.S.C. 1380), is amended by adding at the end thereof the following new sentence: "The provisions of this section shall not be applicable to the guaranty of loans by the Secretary of Commerce under the provisions of such Act of September 7, 1957, as amended, but the Secretary of Commerce shall consult with and consider the views and recommendations of the Board in making such guaranties."

SEC. 9. (a) All orders, determinations, rules, regulations, permissions, approvals, agreements, rulings, directives, and privileges which have been issued, made, or granted, or allowed to become effective, by

42 Stat. 20.
31 USC 1.

72 Stat. 769.

71 Stat. 629.
49 USC 1324
note.

Orders, etc.,
effective until
terminated.

the Civil Aeronautics Board, or any court of competent jurisdiction, under any provision of law amended by this Act, or in the exercise of duties, powers, or functions which, under this Act, are vested in the Secretary of Commerce, and which are in effect on the date of enactment of this Act shall continue in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the Secretary of Commerce or by any court of competent jurisdiction, or by operation of law.

(b) The provisions of this Act shall not affect any proceedings pending before the Civil Aeronautics Board on the date of enactment of this Act; but any such proceedings shall be continued before the Secretary of Commerce, orders issued therein, and payments made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or repealed by the Secretary of Commerce, or by operation of law.

(c) The provisions of this Act shall not affect suits commenced prior to the date of its enactment; and all such suits shall be continued by the Secretary of Commerce, proceedings therein had, appeals therein taken, and judgments therein rendered, in the same manner and with the same effect as if this Act had not been enacted. No suit, action, or other proceeding lawfully commenced by or against the Civil Aeronautics Board or officer of the United States, in relation to the discharge of official duties, shall abate by reason of any transfer of authority, power, or duties from the Board or officer to the Secretary of Commerce under the provisions of this Act, but the court upon a motion or a supplemental petition filed at any time within twelve months after such transfer, showing the necessity for a survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, may allow the same to be maintained by or against the Secretary of Commerce.

Prior suits
not affected.

SEC. 10. (a) The officers, employees, and property (including office equipment and official records) of the Civil Aeronautics Board which the Bureau of the Budget, after consultation with the Board, shall determine to have been employed by the Board in the exercise and performance of those powers and duties vested in and imposed upon it by the Act of September 7, 1957 (71 Stat. 629), as in effect on the day before the date of enactment of this Act, and which are vested by this Act in the Secretary of Commerce, shall be transferred to the Department of Commerce upon such date or dates as the Bureau of the Budget shall specify. The transfer of personnel under this section shall be without reduction in classification or compensation, except that this requirement shall not operate after the end of the fiscal year during which such transfer is made to prevent the adjustment of classification or compensation to conform to the duties to which such transferred personnel may be assigned.

Transfer of
personnel and
equipment.

49 USC 1324
note.

(b) All records transferred to the Secretary of Commerce under this Act shall be available for use by him to the same extent as if such records were originally records of the Secretary.

Records, avail-
ability to Secre-
tary of Commerce.

Approved October 15, 1962.