Public Law 90-464

August 8, 1968
[H. R. 18188]

AN ACT

Making appropriations for the Department of Transportation for the fiscal year ending June 30, 1969, and for other purposes.

Department of Transportation Appropriation Act, 1969.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation for the fiscal year ending June 30, 1969, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary of Transportation, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); hire of passenger motor vehicles; not to exceed $24,500 for allocation within the Department for official reception and representation expenses as the Secretary may determine; $9,800,000: *Provided*, That whenever the Secretary determines that staff functions being performed elsewhere in the Department could be performed more economically and effectively by the Office of the Secretary, he may, during the fiscal year 1969, transfer such functions to the Office of the Secretary.

81 Stat. 206.

TRANSPORTATION RESEARCH

For necessary expenses for conducting transportation research activities, including the collection of national transportation statistics, $6,000,000, of which $1,600,000 shall be available only for the study of the existing motor vehicle accident compensation system authorized in Public Law 90–313, to remain available until expended.

Ante, p. 126.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for, including hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; purchase of not to exceed sixteen passenger motor vehicles for replacement only; maintenance, operation, and repair of aircraft; recreation and welfare; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902); $362,000,000: *Provided*, That the number of aircraft on hand at any one time shall not exceed one hundred and ninety exclusive of planes and parts stored to meet future attrition: *Provided further*, That, without regard to any provisions of law or Executive order prescribing minimum flight requirements, Coast Guard regulations which establish proficiency standards and maximum and minimum flying hours for this purpose may provide for the payment of flight pay at the rates prescribed in section 301 of title 37, United States Code, to certain members of the Coast Guard otherwise entitled to receive flight pay during the current fiscal year (1) who have held aeronautical ratings or designations for not less than fifteen years, or (2) whose particular assignment outside the United States or in Alaska, makes it impractical to participate in regular aerial flights: *Provided further*,

80 Stat. 416.

76 Stat. 461.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

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

School expenses for dependents. 64 Stat. 1100.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, rebuilding, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and services as authorized by 5 U.S.C. 3109; $90,000,000, to remain available until expended.

80 Stat. 416.

RESERVE TRAINING

For all necessary expenses for the Coast Guard Reserve, as authorized by law, including repayment to other Coast Guard appropriations for indirect expenses, for regular personnel, or reserve personnel while on active duty, engaged primarily in administration and operation of the reserve program; maintenance and operation of facilities; supplies, equipment, and services; and the maintenance, operation, and repair of aircraft; $25,000,000: *Provided*, That amounts equal to the obligated balances against the appropriations for "Reserve training" for the two preceding years shall be transferred to and merged with this appropriation, and such merged appropriation shall be available as one fund, except for accounting purposes of the Coast Guard, for the payment of obligations properly incurred against such prior year appropriations and against this appropriation.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection Plan, $51,000,000.

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

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

For necessary expenses, not otherwise provided for, for basic and applied scientific research, development, test and evaluation; services as authorized by 5 U.S.C. 3109; maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $4,000,000, to remain available until expended.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including administrative expenses for research and development and for establishment of air navigation facilities, and carrying out the provisions of the Federal Airport Act; and purchase and repair of skis and snowshoes; $670,954,000: *Provided*, That there may be credited to this appropriation, funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the maintenance and operation of air navigation facilities.

60 Stat. 170.
49 USC 1101 note.

FACILITIES AND EQUIPMENT

For an additional amount for the acquisition, establishment, and improvement by contract or purchase and hire of air navigation and experimental facilities, including the intial acquistion of necessary sites by lease or grant; the construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available, but at a total cost of construction of not to exceed $50,000 per housing unit in Alaska; $120,000,000, to remain available until expended: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment of air navigation facilities: *Provded further*, That no part of the foregoing appropriation shall be available for the construction of a new wind tunnel, or to purchase any land for or in connection with the National Aviation Facilities Experimental Center.

RESEARCH AND DEVELOPMENT

For expenses, not otherwise provided for, necessary for research, development, and service testing in accordance with the provisions of the Federal Aviation Act (49 U.S.C. 1301-1542), including construction of experimental facilities and acquisition of necessary sites by lease or grant, $27,000,000, to remain available until expended.

72 Stat. 731.

OPERATION AND MAINTENANCE, NATIONAL CAPITAL AIRPORTS

For expenses incident to the care, operation, maintenance, improvement and protection of the federally owned civil airports in the vicinity of the District of Columbia, including purchase of eight passenger motor vehicles for police use, of which seven are for replacement only, which may exceed by $300 the general purchase price limitation for the current fiscal year; purchase, cleaning and repair of uniforms; and arms and ammunition; $8,900,000.

CONSTRUCTION, NATIONAL CAPITAL AIRPORTS

For necessary expenses for construction at the federally owned civil airports in the vicinity of the District of Columbia, $700,000, to remain available until expended.

GRANTS-IN-AID FOR AIRPORTS

For grants-in-aid for airports pursuant to the provisions of the Federal Airport Act, as amended, for the fiscal year 1970, $30,000,000, to remain available until expended.

AVIATION WAR RISK INSURANCE REVOLVING FUND

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

72 Stat. 803.

61 Stat. 584.

REDUCTION IN APPROPRIATIONS

Appropriations heretofore granted under the head "Civil Supersonic Aircraft Development" are reduced by the sum of $30,000,000.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON GENERAL EXPENSES

For necessary expenses, not otherwise provided, for administration, operation, and research of the Federal Highway Administration, as authorized by law, not to exceed $65,556,000 shall be paid, in accordance with law, from the appropriation "Federal-Aid Highways (trust fund)" (including advances and reimbursements): *Provided*, That appropriations available to the Federal Highway Administration shall be available for hire of passenger motor vehicles; uniforms or allowances therefor authorized by law (5 U.S.C. 5901–5902); and services as authorized by 5 U.S.C. 3109: *Provided further*, That of the total amount made available during the current fiscal year for administration, operation, and research expenses of the Federal-aid highway programs, not to exceed $12,718,000 shall be available for support and services furnished by elements of the Federal Highway Administration other than the Bureau of Public Roads and by other Federal agencies.

81 Stat. 206.

80 Stat. 416.

FEDERAL-AID HIGHWAYS (TRUST FUND)

For carrying out the provisions of title 23, United States Code, which are attributable to Federal-aid highways, to remain available until expended, $4,155,370,000, or so much thereof as may be available in and derived from the "Highway trust fund"; which sum is composed of $587,218,731, the balance of the amount authorized for the fiscal year 1967, and $3,552,518,466 (or so much thereof as may be available in and derived from the "Highway trust fund"), a part of the amount authorized to be appropriated for the fiscal year 1968, $15,499,136 for reimbursement of the sum expended for the repair or reconstruction of highways and bridges which have been damaged or destroyed by floods, hurricanes, or landslides, as provided by title 23, United States Code, section 125, and $133,667 for reimbursement of the sums expended for the design and construction of bridges upon and across dams, as provided by title 23, United States Code, section 320.

72 Stat. 885.
23 USC 101 *et seq.*

73 Stat. 612;
80 Stat. 769.

72 Stat. 917.

HIGHWAY BEAUTIFICATION

For necessary administrative expenses in carrying out the provisions of title 23, United States Code, sections 131, 136, and 319(b), as authorized by section 402 of the Highway Beautification Act of 1965, $1,000,000.

79 Stat. 1028-1032.
23 USC 131 note.

TRAFFIC AND HIGHWAY SAFETY

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety, including services authorized by 5 U.S.C. 3109; $26,500,000, together with $1,200,000 to be transferred from the appropriation for "State and community highway safety (Liquidation of contract authorization)."

80 Stat. 416.

STATE AND COMMUNITY HIGHWAY SAFETY (LIQUIDATION OF CONTRACT AUTHORIZATION)

For the payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 402, to remain available until expended, $50,000,000, of which not to exceed $1,200,000 may be advanced to the appropriation "Traffic and highway safety" for administration of this program.

80 Stat. 731.

MOTOR CARRIER SAFETY

For necessary expenses to carry out motor carrier safety functions of the Secretary, as authorized by the Department of Transportation Act (80 Stat. 939-40): $2,012,000.

49 USC 1655.

FOREST HIGHWAYS (LIQUIDATION OF CONTRACT AUTHORIZATION)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 204, pursuant to contract authorization granted by title 23, United States Code, section 203, to remain available until expended, $29,000,000, which sum is composed of $7,950,000, the balance of the amount authorized to be appropriated for the fiscal year 1967, and $21,050,000, a part of the amount authorized to be appropriated for the fiscal year 1968: *Provided*, That this appropriation shall be available for the rental, purchase, construction, or alteration of buildings and sites necessary for the storage and repair of equipment and supplies used for road construction and maintenance but the total cost of any such item under this authorization shall not exceed $15,000.

72 Stat. 906.

PUBLIC LANDS HIGHWAYS (LIQUIDATION OF CONTRACT AUTHORIZATION)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 209, pursuant to the contract authorization granted by title 23, United States Code, section 203, to remain available until expended, $7,600,000, which sum is a part of the amount authorized to be appropriated for the fiscal year 1968.

78 Stat. 397.

INTER-AMERICAN HIGHWAY

For necessary expenses for construction of the Inter-American Highway, in accordance with the provisions of section 212 of title 23 of the United States Code, $2,000,000, to remain available until expended.

FEDERAL RAILROAD ADMINISTRATION

OFFICE OF THE ADMINISTRATOR

SALARIES AND EXPENSES

For necessary expenses of the Federal Railroad Administration, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109; $900,000.

81 Stat. 206.
80 Stat. 416.

BUREAU OF RAILROAD SAFETY

For necessary expenses of the Bureau of Railroad Safety, not otherwise provided for, including uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); hire of passenger motor vehicles; and services as authorized by 5 U.S.C. 3109; $3,700,000.

HIGH-SPEED GROUND TRANSPORTATION RESEARCH AND DEVELOPMENT

For necessary expenses for research, development, and demonstrations in high-speed ground transportation, $13,000,000, to remain available until expended.

RAILROAD RESEARCH

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

ALASKA RAILROAD

ALASKA RAILROAD REVOLVING FUND

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

80 Stat. 553.
63 Stat. 954.
5 USC 5332 note.

URBAN MASS TRANSPORTATION ADMINISTRATION

URBAN MASS TRANSPORTATION GRANTS

For an additional amount for grants as authorized by the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.), to remain available until expended, $175,000,000 for the fiscal year 1970, of which $30,000,000 shall be available only for research, development, and demonstration grants.

78 Stat. 302.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

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

61 Stat. 584.
31 USC 849.

LIMITATION ON ADMINISTRATIVE EXPENSES, SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Not to exceed $550,000 shall be available for administrative expenses which shall be computed on an accrual basis, including not to exceed $3,000 for official entertainment expenses to be expended upon the approval or authority of the Secretary of Transportation, hire of passenger motor vehicles, uniforms or allowances therefor for operation and maintenance personnel, as authorized by law (5 U.S.C. 5901-5902), and $5,000 for services as authorized by 5 U.S.C. 3109.

81 Stat. 206.
80 Stat. 416.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including employment of temporary guards on a contract or fee basis; hire, operation, maintenance, and repair of aircraft; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); $4,500,000.

TITLE II

GENERAL PROVISIONS

SEC. 201. During the current fiscal year applicable appropriations to the Federal Aviation Administration shall be available for the Federal Aviation Administration to conduct the activities specified in the Act of October 26, 1949, 63 Stat. 907, as amended, under determinations and regulations by the Administrator of the Federal Aviation Administration; maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

15 USC 1514.

SEC. 202. Funds appropriated under this Act for expenditure by the Federal Aviation Administration may be expended for reimbursement of other Federal agencies for expenses incurred, on behalf of the Federal Aviation Administration, in the settlement of claims for damages resulting from sonic boom in connection with research conducted as part of the civil supersonic aircraft development.

SEC. 203. None of the funds provided under this Act shall be available for the planning or execution of programs the obligations for which are in excess of $65,000,000 in fiscal year 1969 for "State and Community Highway Safety".

SEC. 204. None of the funds provided under this Act shall be available for the planning or execution of programs the obligations for which are in excess of $29,000,000, exclusive of the reimbursable program, in fiscal year 1969 for "Forest Highways".

SEC. 205. None of the funds provided under this Act shall be available for the planning or execution of programs the obligations for

which are in excess of $12,500,000 in fiscal year 1969 for "Public Lands Highways".

SEC. 206. None of the funds in this Act shall be available to finance interdepartmental boards, commissions, councils, committees, or similar groups under sec. 214 of the Independent Offices Appropriation Act, 1946 (31 U.S.C. 691) which do not have prior and specific Congressional approval of such method of financial support.

SEC. 207. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 208. None of the funds in this Act shall be available either for planning for, or provision of, subsidized automobile repair or free transportation services.

SEC. 209. None of the money appropriated hereby shall be used to make any payment on any lease purchase contract for jet airplanes to be used by the Federal Aviation Administration wherein the total cost of the lease payments plus the amount needed to exercise the purchase option exceeds the purchase price of the aircraft (which would have been charged where the aircraft to be purchased by normal appropriations) by more than 20%.

Position limitations, exemption.

SEC. 210. Positions which are financed by appropriations in this Act which are determined by the Secretary of Transportation to be essential to assure public safety and which are assigned to facilities directly engaged in the operation or maintenance of the air traffic control system or the air navigation system of the Federal Aviation Administration may be filled without regard to the provisions of section 201 of Public Law 90-364, and such positions shall not be taken into consideration in determining numbers of employees under subsection (a) of that section or numbers of vacancies under subsection (b) of that section.

Ante, p. 270.

Short title.

This Act may be cited as the "Department of Transportation Appropriation Act, 1969".

Approved August 8, 1968.

Public Law 90-465

August 8, 1968
[H. R. 11026]

AN ACT

To amend the Act of September 15, 1960, for the purpose of developing and enhancing recreational opportunities and improving the fish and wildlife programs at reservations covered by said Act, and for other purposes.

Conservation programs on military reservations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of September 15, 1960 (74 Stat. 1053; 16 U.S.C. 670c) is amended to read as follows:

"SEC. 3. The Secretary of Defense is also authorized to carry out a program for the development, enhancement, operation, and maintenance of public outdoor recreation resources at military reservations in accordance with a cooperative plan mutually agreed upon by the Secretary of Defense and the Secretary of the Interior, in consultation with the appropriate State agency designated by the State in which such reservations are located."

SEC. 2. The Act of September 15, 1960, is amended by adding at the end thereof a new section to read as follows:

"SEC. 6. (a) The Secretary of Defense shall expend such funds as may be collected in accordance with the cooperative plans agreed to under sections 1 and 2 of this Act and for no other purpose.