

Public Law 89-574

AN ACT

September 13, 1966
[S. 3155]

To authorize appropriations for the fiscal years 1968 and 1969 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

Federal-Aid
Highway Act of
1966.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal-Aid Highway Act of 1966".

REVISION OF AUTHORIZATION OF APPROPRIATIONS FOR INTERSTATE SYSTEM

SEC. 2. Subsection (b) of section 108 of the Federal-Aid Highway Act of 1956, as amended, is amended to read as follows:

"(b) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of expediting the construction, reconstruction, or improvement, inclusive of necessary bridges and tunnels, of the Interstate System, including extensions thereof through urban areas, designated in accordance with the provisions of subsection (d) of section 103 of title 23, United States Code, there is hereby authorized to be appropriated the additional sum of \$1,000,000,000 for the fiscal year ending June 30, 1957, which sum shall be in addition to the authorization heretofore made for that year, the additional sum of \$1,700,000,000 for the fiscal year ending June 30, 1958, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1959, the additional sum of \$2,500,000,000 for the fiscal year ending June 30, 1960, the additional sum of \$1,800,000,000 for the fiscal year ending June 30, 1961, the additional sum of \$2,200,000,000 for the fiscal year ending June 30, 1962, the additional sum of \$2,400,000,000 for the fiscal year ending June 30, 1963, the additional sum of \$2,600,000,000 for the fiscal year ending June 30, 1964, the additional sum of \$2,700,000,000 for the fiscal year ending June 30, 1965, the additional sum of \$2,800,000,000 for the fiscal year ending June 30, 1966, the additional sum of \$3,000,000,000 for the fiscal year ending June 30, 1967, the additional sum of \$3,400,000,000 for the fiscal year ending June 30, 1968, the additional sum of \$3,800,000,000 for the fiscal year ending June 30, 1969, the additional sum of \$3,600,000,000 for the fiscal year ending June 30, 1970, the additional sum of \$3,600,000,000 for the fiscal year ending June 30, 1971, and the additional sum of \$2,685,000,000 for the fiscal year ending June 30, 1972. Nothing in this subsection shall be construed to authorize the appropriation of any sums to carry out section 131, 136, or 319 (b) of this title, or any provision of law relating to highway safety enacted after May 1, 1966."

AUTHORIZATION OF USE OF COST ESTIMATE FOR APPORTIONMENT OF INTERSTATE FUNDS

SEC. 3. The Secretary of Commerce is authorized to make the apportionment for the fiscal years ending June 30, 1968, and 1969, of the sums authorized to be appropriated for such years for expenditures on the National System of Interstate and Defense Highways, using the apportionment factors contained in table 5 of House Document Numbered 42, Eighty-ninth Congress.

75 Stat. 122;
79 Stat. 578.
23 USC 101note.

74 Stat. 415.

79 Stat. 1028.
23 USC 131, 136,
319.

EXTENSION OF TIME FOR COMPLETION OF SYSTEM

SEC. 4. (a) The second paragraph of section 101(b) of title 23, United States Code, is amended by striking out "fifteen years" and inserting in lieu thereof "sixteen years" and by striking out "June 30, 1971", and inserting in lieu thereof "June 30, 1972".

78 Stat. 397.

(b) The introductory phrase and the second and third sentences of section 104(b)(5) of title 23, United States Code, are amended by striking "1971" where it appears and inserting in lieu thereof "1972", and such section 104(b)(5) is further amended by striking "fiscal year ending June 30, 1971.", at the end of the penultimate sentence and inserting in lieu thereof "fiscal years ending June 30, 1971, and June 30, 1972."

77 Stat. 276.

REVISION OF AUTHORIZATION OF APPROPRIATIONS FOR INTERSTATE SYSTEM

SEC. 5. (a) Section 109(b) of title 23 of the United States Code is amended by inserting after the second sentence the following: "Such standards shall in all cases provide for at least four lanes of traffic."

77 Stat. 277.

(b) The Secretary of Commerce is authorized to modify project agreements entered into prior to the date of enactment of this Act pursuant to section 106 of title 23 of the United States Code for the purpose of effectuating the amendment made by this section with respect to as much of the National System of Interstate and Defense Highways as may be possible.

72 Stat. 892;
77 Stat. 278.

AUTHORIZATIONS

SEC. 6. For the purpose of carrying out the provisions of title 23 of the United States Code, the following sums are hereby authorized to be appropriated:

23 USC 101 *et seq.*

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, out of the highway trust fund, \$1,000,000,000 for the fiscal year ending June 30, 1968, and \$1,000,000,000 for the fiscal year ending June 30, 1969. Nothing in this paragraph shall be construed to authorize the appropriation of any sums to carry out section 131, 136, or 319(b) of this title, or any provision of law relating to highway safety enacted after May 1, 1966. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

Federal-aid primary and secondary systems in urban areas.

(A) 45 per centum for projects on the Federal-aid primary highway system;

(B) 30 per centum for projects on the Federal-aid secondary highway system; and

(C) 25 per centum for projects on extensions of the Federal-aid primary and Federal-aid secondary highway systems in urban areas.

(2) For forest highways, \$33,000,000 for the fiscal year ending June 30, 1968, and \$33,000,000 for the fiscal year ending June 30, 1969.

79 Stat. 1028.
23 USC 131, 136,
319.

(3) For public lands highways, \$14,000,000 for the fiscal year ending June 30, 1968, and \$16,000,000 for the fiscal year ending June 30, 1969.

(4) For forest development roads and trails, \$170,000,000 for the fiscal year ending June 30, 1968, and \$170,000,000 for the fiscal year ending June 30, 1969.

(5) For public lands development roads and trails, \$3,000,000 for the fiscal year ending June 30, 1968, and \$5,000,000 for the fiscal year ending June 30, 1969.

(6) For park roads and trails, \$25,000,000 for the fiscal year ending June 30, 1968, and \$30,000,000 for the fiscal year ending June 30, 1969.

(7) For parkways, \$9,000,000 for the fiscal year ending June 30, 1968, and \$11,000,000 for the fiscal year ending June 30, 1969.

(8) For Indian reservation roads and bridges, \$19,000,000 for the fiscal year ending June 30, 1968, and \$23,000,000 for the fiscal year ending June 30, 1969.

ALASKAN ASSISTANCE

72 Stat. 897.

SEC. 7 (a) Section 118 of title 23, United States Code, is amended by adding at the end thereof the following:

“(d) Funds made available to the State of Alaska under this title may be expended for construction of access and development roads on a Federal-aid system that will serve resource development, recreational, residential, commercial, industrial, or other like purposes.”

Appropriation.

(b) There is hereby authorized to be appropriated for construction and maintenance of highways in the State of Alaska, out of the general fund, and in addition to funds otherwise made available to the State of Alaska under title 23, United States Code, \$14,000,000 for each of the fiscal years ending June 30, 1968, June 30, 1969, June 30, 1970, June 30, 1971, and June 30, 1972.

HIGHWAY BEAUTIFICATION

79 Stat. 1030,
1032.

SEC. 8. (a) The last sentence of subsection (m) of section 131, and the last sentence of subsection (m) of section 136, of title 23, United States Code, are each amended to read as follows: “The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967.”

79 Stat. 1032.
23 USC 101.

(b) The last sentence of subsection (b) of section 319 of title 23, United States Code, is hereby amended to read as follows: “The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this subsection after June 30, 1967.”

(c) (1) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

“§ 137. Limitation on authorization of appropriations for certain purposes

“(a) Notwithstanding any other provision of law, neither sections 131, 136, and 319(b) of this title, nor any provision of law relating to highway safety enacted after May 1, 1966, shall be construed to be authority for any appropriations for any fiscal year for which appropriations are not specifically authorized by fiscal year in such sections or provisions.

79 Stat. 1028,
1030, 1032.

“(b) Any appropriation to carry out section 131, 136, or 319(b) of this title or any provision of law relating to highway safety enacted after May 1, 1966, must be authorized by a provision of law specifically setting forth the total amount authorized to be appropriated for the fiscal year to carry out such section or other provision of law.

70 Stat. 397.
23 USC 120 note.

“(c) The highway trust fund established by section 209 of the Highway Revenue Act of 1956 shall not be available for any appropriation to carry out sections 131, 136, and 319(b) of this title, and any provision of law relating to highway safety enacted after May 1, 1966, in an aggregate amount which exceeds the amount of tax that would be

imposed under section 4061(a) (2) of the Internal Revenue Code of 1954 if such section imposed a tax at the rate of 1 per centum plus such additional amounts as are appropriated from the general fund to the highway trust fund for such purposes, but the total of all appropriations made from such fund to carry out these sections and provisions of law shall never exceed the total of all appropriations made to such fund based on the imposition of such tax plus such additional amounts as are appropriated from the general fund to the highway trust fund for such purposes."

79 Stat. 136.
26 USC 4061.

(2) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"137. Limitation on authorization of appropriations for certain purposes."

EMERGENCY RELIEF

SEC. 9. (a) The last proviso of subsection (f) of section 120 of title 23 of the United States Code is amended by inserting after "park roads and trails," the following: "parkways, public lands highways, public lands development roads and trails,".

78 Stat. 1090.

(b) Subsection (c) of section 125 of title 23 of the United States Code is amended by inserting after "park roads and trails," the following: "parkways, public lands highways, public lands development roads and trails,".

73 Stat. 612.

(c) The second sentence of subsection (a) of section 125 of title 23 of the United States Code is amended to read as follows: "Subject to the following limitations, there is hereby authorized to be appropriated such sums as may be necessary to establish the fund authorized by this section and to replenish it on an annual basis: (1) not more than \$50,000,000 is authorized to be expended in any one fiscal year to carry out this section except that if in any fiscal year the total of all expenditures under this section is less than \$50,000,000, the unexpended balance of such amount shall remain available for expenditure during the next two succeeding fiscal years in addition to amounts otherwise available to carry out this section in such years, and (2) 60 per centum of the expenditures under this section for any fiscal year are authorized to be appropriated from the Highway Trust Fund and the remaining 40 per centum of such expenditures are authorized to be appropriated only from any moneys in the Treasury not otherwise appropriated."

Appropriation.

70 Stat. 397.
23 USC 120 note.

(d) The amendments made by this section shall take effect July 1, 1966.

Effective date.

STUDY OF ADVANCE ACQUISITION OF RIGHTS-OF-WAY

SEC. 10. The Secretary of Commerce is authorized and directed to make a full and complete investigation and study of the advance acquisition of rights-of-way for future construction of highways on the Federal-aid highway systems, with particular reference to the provision of adequate time for the removal and disposal of improvements located on rights-of-way and the relocation of affected individuals, businesses, institutions, and organizations, the tax status of such property after acquisition and before its use for highway purposes, and the methods for financing advance right-of-way acquisition by both the State governments and the Federal Government, including the possible creation of revolving funds for such purpose. The Secretary shall submit a report of the results of such study to Congress not later than July 1, 1967, together with his recommendations.

Report to Congress.

STATE HIGHWAY DEPARTMENTS

72 Stat. 912.

SEC. 11. Subsection (a) of section 302 of title 23 of the United States Code is amended by adding at the end thereof the following: "In meeting the provisions of this subsection, a State may engage, to the extent necessary or desirable, the services of private engineering firms."

RELOCATION ASSISTANCE STUDY

Report to Congress.

SEC. 12. (a) The Secretary of Commerce is authorized and directed to make, in cooperation with the Secretary of the Department of Housing and Urban Development, the State highway departments, and other affected Federal and State agencies, a full and complete study and investigation for the purpose of determining what action can and should be taken to provide additional assistance for the relocation and reestablishment of persons, business concerns, and non-profit organizations to be displaced by construction of projects on any of the Federal-aid highway systems, and to submit a report of the findings of such study and investigation, together with recommendations, to the Congress not later than July 1, 1967. The study and investigation shall include, but shall not be limited to—

(1) the need for additional payments or other financial assistance to such displaced persons, business concerns, and nonprofit organizations, and the extent to which the making of such payments and the providing of other financial assistance should be mandatory;

(2) the feasibility of constructing, within the right-of-way of a highway or upon real property adjacent thereto acquired for such purposes, publicly or privately owned, buildings, improvements, or other facilities to aid in the relocation of such displaced persons, business concerns, and nonprofit organizations;

(3) the extent to which the costs of acquiring such real property and constructing such buildings, improvements and other facilities should be paid from the highway trust fund; and

(4) sources of funds to pay the portion of the costs of acquiring such real property and constructing such buildings, improvements and other facilities, which is not properly chargeable to the highway trust fund.

HIGHWAY STUDY—GUAM, AMERICAN SAMOA, AND THE VIRGIN ISLANDS

SEC. 13. (a) The Secretary of Commerce, in cooperation with the government of Guam, the government of American Samoa, and the government of the Virgin Islands is hereby authorized to make studies of the need for, and estimates and planning surveys relative to, highway construction programs for Guam, American Samoa, and the Virgin Islands.

Report to Congress.

(b) On or before July 1, 1967, the Secretary of Commerce shall submit a report to the Congress which shall include—

(1) an analysis of the adequacy of present highway programs to provide satisfactory highways in both the rural and urban areas in Guam, American Samoa, and the Virgin Islands;

(2) specific recommendations as to a program for the construction of highways throughout Guam, American Samoa, and the Virgin Islands; and

(3) a feasible program for implementing such specific recommendations, including cost estimates, recommendations as to the sharing of cost responsibilities, and other pertinent matters.

Appropriation.

(c) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be available until ex-

pending, the sum of \$200,000 for the purpose of making the studies, surveys, and report authorized by subsections (a) and (b) of this section.

SOIL EROSION CONTROL

SEC. 14. Section 109 of title 23, United States Code, is amended by adding a new subsection as follows: 72 Stat. 894;
Ante, p. 767.

“(g) The Secretary shall consult with the Secretary of Agriculture with respect to guidelines for minimizing possible soil erosion from highway construction, and report to Congress such guidelines not later than July 1, 1967.” Report to
Congress.

PRESERVATION OF PARKLANDS

SEC. 15. (a) Chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows: 23 USC 101.

“§ 138. Preservation of parklands

“It is hereby declared to be the national policy that in carrying out the provisions of this title, the Secretary shall use maximum effort to preserve Federal, State, and local government parklands and historic sites and the beauty and historic value of such lands and sites. The Secretary shall cooperate with the States in developing highway plans and programs which carry out such policy. After July 1, 1968, the Secretary shall not approve under section 105 of this title any program for a project which requires the use for such project of any land from a Federal, State, or local government park or historic site unless such program includes all possible planning, including consideration of alternatives to the use of such land, to minimize any harm to such park or site resulting from such use.” 72 Stat. 891.

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

“138. Preservation of parklands.”

Approved September 13, 1966.

Public Law 89-575

AN ACT

To continue for a temporary period the existing suspension of duty on certain istle. September 13, 1966
[H. R. 12461]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) item 903.90 of the Tariff Schedules of the United States (19 U.S.C., sec. 1202, item 903.90) is amended by striking out “9/5/66” and inserting in lieu thereof “9/5/69”. 77A Stat. 432.

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption, after September 5, 1966.

Approved September 13, 1966.