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J. NELSON TRIBBY, CLERK

United States Senate
COMMITTEE ON ARMED SERVICES

June 8, 1950

Dear Amon:

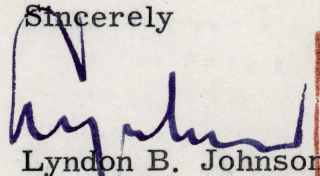
This confirms my wire of an hour or so ago to the effect that the Airport Extension Bill, S. 2875, was passed by the Senate this afternoon. It now goes to the House, where I am told by the Interstate and Foreign Commerce Committee staff prompt consideration is scheduled. Every indication is that it will be adopted before the end of the present session.

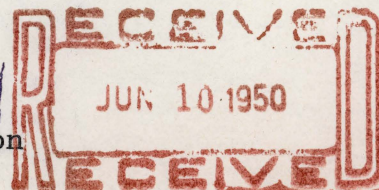
You also expressed an interest in S. 1281, a bill to amend the Federal Airport Act so as to make the United States' share of costs for land acquisition the same as for other project costs. All this bill does is eliminate Section 10(d) of the Federal Airport Act, thus permitting the Federal Government to share to the same extent in land acquisition as in other project expenses. The bill is before the Senate Interstate and Foreign Commerce Committee, but as yet no action has been taken and nothing has been scheduled. I will do my best to generate some interest in it.

Quite a number of other bills have been offered which affect the airport program, but most of them will likely die in the Committee. S. 1278, for instance, fixes the United States' share of designated instrument landing runways as 75%. S. 1282 authorizes grants up to \$50,000.00 a year for minor projects at major airports. S. 1888 makes general amendments to the Federal Airport Act. All of these bills are pending before our Committee, and I am enclosing copies for your information. I shall try to generate such interest as I can in the House with regard to S. 2875 so that it can become law at as early a date as possible.

Best personal regards.

Sincerely


Lyndon B. Johnson



Hon. Amon Carter
Fort Worth, Texas

Calendar No. 1559

81ST CONGRESS
2D SESSION

S. 2875

[Report No. 1551]

IN THE SENATE OF THE UNITED STATES

JANUARY 17 (legislative day, JANUARY 4), 1950

Mr. McCARRAN introduced the following bill; which was read twice and referred to the Committee on Interstate and Foreign Commerce

MAY 10 (legislative day, MARCH 29), 1950

Reported by Mr. JOHNSON of Colorado, without amendment

A BILL

To extend for a period of five years the time for appropriating and expending funds to carry out the Federal Airport Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That subsections (b) and (c) of section 5 of the Federal
4 Airport Act are amended—

5 (1) by striking out “seven fiscal years”, in each
6 such subsection, and inserting in lieu thereof “twelve
7 fiscal years”; and

8 (2) by striking out “shall remain available until
9 June 30, 1953”, in each such subsection, and inserting
10 in lieu thereof “shall remain available until June 30,
11 1958”.

Calendar No. 1559

81st CONGRESS
2d Session

S. 2875

[Report No. 1551]

A BILL

To extend for a period of five years the time for appropriating and expending funds to carry out the Federal Airport Act.

By Mr. McCARRAN

JANUARY 17 (legislative day, JANUARY 4), 1950

Read twice and referred to the Committee on Interstate and Foreign Commerce

MAY 10 (legislative day, MARCH 29), 1950

Reported without amendment

IN THE SENATE OF THE UNITED STATES

[Report No. 1551]

81st CONGRESS
2d Session

2875

Calendar No. 1559

Mr. McCARRAN introduced the following bill; which was read twice and referred to the Committee on Interstate and Foreign Commerce
JANUARY 17 (legislative day, JANUARY 4), 1950

Reported without amendment
MAY 10 (legislative day, MARCH 29), 1950

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2
1

Calendar No. 1559

81ST CONGRESS }
2d Session }

SENATE

} REPORT
No. 1551

EXTENDING FOR A PERIOD OF 5 YEARS THE TIME FOR APPROPRIATING AND EXPENDING FUNDS TO CARRY OUT THE FEDERAL AIRPORT ACT

MAY 10 (legislative day, MARCH 29), 1950.—Ordered to be printed

Mr. JOHNSON of Colorado, from the Committee on Interstate and Foreign Commerce, submitted the following

REPORT

[To accompany S. 2875]

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (S. 2875) to extend for a period of 5 years the time for appropriating and expending funds to carry out the Federal Airport Act, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of the bill is to grant additional time for completion of the Federal-aid airport program as originally contemplated in the Federal Airport Act.

COST

No additional cost is involved. This bill would merely extend the time for completing what is to be accomplished under the terms of the Federal Airport Act from June 30, 1953, to June 30, 1958. The financial authorization limitation will remain the same as in the original act.

JUSTIFICATION

The objective of the Federal Airport Act is the accomplishment of a Nation-wide system of public airports adequate to meet the present and future needs of civil aeronautics, taking into account the needs of the military in the national defense programs. The Federal Airport Act of 1946 provides authorization for appropriation by the Federal Government for its share of the cost in the amount of \$520,000,000. The present act further provides that the program is to be accomplished over a period of 7 years, terminating June 30, 1953. Plans

2 EXTEND TIME TO EXPEND FUNDS FOR FEDERAL AIRPORT ACT

are now being crystallized for the fifth year of the 7-year program, and budget requests are being prepared by the Civil Aeronautics Administration for the sixth year.

Approximately 2 years were required to permit States and municipalities to set up the necessary laws to conform with the Federal Airport Act, and additional time is necessary for municipalities to provide the money to carry out their part of the program. Various congressional committees have requested the CAA to place emphasis on the development of the larger type airports. This has held up the development of a large number of small airports which will be required for a national system. Congress has appropriated at the average rate of \$40,000,000 per fiscal year; therefore, only 22.5 percent of the \$520,000,000. The airport program involves dealing with separate municipalities and political subdivisions, many of which are now raising funds. Some of the preliminary steps cities must process before they can enter into a contract for the actual performance of the work in many instances require much greater time than that available between now and the termination of the Federal Airport Act. The annual development programs for airport improvement and construction have provided for stage construction or units of work which necessitate further stages over a period of several years. It is often necessary to plan airport development programs in various stages to extend over periods of 3 to 5 years. Public agencies sponsoring airport development, therefore, must plan their programs for airport improvement, construction, and financing considerably in advance of actual construction. Many public agencies are awaiting at this time as to whether the Federal Airport Act will be extended in order to proceed with their plans for airport financing and construction. If such a vital act for national defense would be terminated it would leave not only an uncompleted over-all airport program but a large number of partially completed airports.

The Federal airport program has become a vital part of our national economy. We are now beginning to feel the full effect of this program. This program, together with the implementation of the RTCA program, will do much to improve our air transportation system by providing for greater safety and acceptance of aircraft at our airports. Project requests from public agencies now on file with the CAA are in excess of \$330,000,000. Extension of time for completion of the program will permit proceeding with the airports on a priority list already established and which will be processed when Federal funds are available. The Federal airport program permits the construction and development of all types of airports with public agencies and the Federal Government as sponsors. The development of these types of airports with Federal aid is in line with our national policy of developing highways, waterways and other utilities.

The need for safe, efficient, and modern airport facilities is increasing from year to year at a rate greater than speed is being presently satisfied. This is due to rapid increase in air traffic, changes in aircraft design, new thinking in the plans and handling of aircraft passengers in and around the terminal buildings, etc. It now appears that this trend will be even greater during the next 5 to 10 years if one considers the latest technical developments, the SC-31 program and the advances that are being made in jet- and turbo-propelled aircraft.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

In the following subsections (b) and (c) of section 5 of the Federal Airport Act, wherever the term "seven fiscal years" appears strike and change to "*twelve fiscal years*". Wherever the phrase "shall remain available until June 30, 1953" appears insert in lieu thereof "*shall remain available until June 30, 1958*".

ANNUAL APPROPRIATIONS FOR PROJECTS IN STATES

(b) For the purpose of carrying out this Act with respect to projects in the several States, annual appropriations amounting in the aggregate to \$500,000,000 are hereby authorized to be made to the Administrator over a period of [seven fiscal years] *twelve fiscal years*, beginning with the fiscal year ending June 30, 1947. The appropriation for any such fiscal year shall not exceed \$100,000,000 and [shall remain available until June 30, 1953] *shall remain available until June 30, 1958*, unless sooner expended. Not to exceed 5 per centum of any such annual appropriation, as specified in the Act making such appropriation, shall be available to the Administrator for necessary planning and research and for administrative expenses incident to the administration of this Act in the several States; except that if 5 per centum of the appropriation for any fiscal year is less than \$3,500,000, or if there is no appropriation for such fiscal year, not to exceed \$3,500,000 in the aggregate may be made available to the Administrator, for such fiscal year, for such planning and research and administrative expenses. Any amounts made available to the Administrator for such planning and research and administrative expenses shall be deducted for purposes of determining the amounts available for grants for projects in the several States.

ANNUAL APPROPRIATIONS FOR PROJECTS IN ALASKA, HAWAII, AND PUERTO RICO

(c) For the purpose of carrying out this Act with respect to projects in the Territories of Alaska and Hawaii, and in Puerto Rico, annual appropriations amounting in the aggregate to \$20,000,000 are hereby authorized to be made to the Administrator over a period of [seven fiscal years] *twelve fiscal years* beginning with the fiscal year ending June 30, 1947. The appropriation for any such fiscal year [shall remain available until June 30, 1953] *shall remain available until June 30, 1958*, unless sooner expended. Not to exceed 5 per centum of any such annual appropriation, as specified in the Act making such appropriation, shall be available to the Administrator for necessary planning and research and for administrative expenses incident to the administration of this Act with respect to projects in the Territories of Alaska and Hawaii, and in Puerto Rico; and the amount so available shall be deducted from such appropriation for purposes of determining the amount thereof available for grants for projects therein. Of the total amount available for such grants, 50 per centum shall be available for projects in the Territory of Alaska, 25 per centum shall be available for projects in the Territory of Hawaii, and 25 per centum shall be available for projects in Puerto Rico.

The enactment of this bill is endorsed by Senator Pat McCarran, who personally appeared before the committee; the Civil Aeronautics Administration; the General Accounting Office; the American Municipal Association; the National Association of State Aviation Officials; the Airport Operators Council; and numerous towns and cities throughout the Nation.

4 EXTEND TIME TO EXPEND FUNDS FOR FEDERAL AIRPORT ACT

GENERAL ACCOUNTING OFFICE,
Washington, January 31, 1950.

Hon. EDWIN C. JOHNSON,
Chairman, Committee on Interstate and Foreign Commerce,
United States Senate.

MY DEAR MR. CHAIRMAN: Reference is made to your letter of January 18, 1950, acknowledged by telephone January 24, requesting such comments as I may care to offer concerning S. 2875, Eighty-first Congress, second session, entitled "A bill to extend for a period of 5 years the time for appropriating and expending funds to carry out the Federal Airport Act."

Section 5 (b) of the Federal Airport Act, approved May 13, 1946 (60 Stat. 172), authorizes annual appropriations aggregating \$500,000,000 over a period of 7 years for the purpose of carrying out the provisions of the act with respect to projects in the several States and provides that appropriations for any fiscal year shall remain available until June 30, 1953, unless sooner expended. Similarly section 5 (c) of the act, as amended, authorizes annual appropriations aggregating \$20,000,000 with respect to projects in the Territories of Alaska and Hawaii, and in Puerto Rico and the Virgin Islands.

The bill S. 2875 would amend said subsections (b) and (c) so as to extend for a period of 5 years the time during which appropriations may be made and would permit such appropriations to remain available for expenditure until June 30, 1958, unless sooner expended.

It does not appear that enactment of S. 2875 would result in any over-all increase in the aggregate amounts authorized to be appropriated for the airport development program and inasmuch as this Office has no information concerning the need or desirability of the proposed legislation and since its enactment would have no appreciable effect on the work of this Office, I have no recommendation to make with respect to the proposed amendment.

Sincerely yours,

LINDSAY C. WARREN,
Comptroller General of the United States.

AIRPORT OPERATORS COUNCIL,
Washington, D. C., February 21, 1950.

Hon. EDWIN C. JOHNSON,
Chairman, Interstate and Foreign Commerce Committee,
United States Senate, Washington, D. C.

MY DEAR SENATOR: It has been suggested by the members of the Airport Operators Council that you be informed of our belief that the enactment of S. 2875 would be a sound step in assisting municipalities in their effort to provide the funds that "spark" action under the Federal Airport Act. We feel that the work of both the Civil Aeronautics Administrator and the Nation's major cities, counties, and States in advancing the Federal airport program is worthy of high commendation.

The job has involved a great mass of work on legal and engineering details, as well as public education about air age requirements, both civil and military. The matter of securing public approval of necessary bond issues often requires more time than originally expected. An extension of time for completion of the program seems quite necessary in view of the experience record since the Airport Act was approved by the Congress.

If the Airport Operators Council can be of assistance in providing additional information on this subject, please call upon us.

Very sincerely yours,

CYRIL C. THOMPSON,
Executive Secretary.

THE AMERICAN MUNICIPAL ASSOCIATION,
Washington, D. C., April 25, 1950.

Senator EDWIN C. JOHNSON,
Chairman, Senate Interstate and Foreign Commerce Committee,
Senate Office Building, Washington, D. C.

DEAR SENATOR JOHNSON: The American Municipal Association, representing its membership of 10,500 municipal governments, favors the bill S. 2875, extending

GENERAL ACCOUNTING OFFICE,
Washington, January 31, 1950.

*Interstate and Foreign Commerce,
United States Senate.*

Reference is made to your letter of January 18, 1950, January 24, requesting such comments as I may care to make on the bill, H. R. 1000, passed by the Eighty-first Congress, second session, entitled "A bill to extend the time for appropriating and expending funds for the Federal Airport Act."

The Airport Act, approved May 13, 1946 (60 Stat. 172), provides for appropriations aggregating \$500,000,000 over a period of 7 years, subject to the provisions of the act with respect to projects. The act provides that appropriations for any fiscal year shall not exceed the amount available for that year, unless sooner expended. Similarly section 10, authorizes annual appropriations aggregating \$500,000,000 for projects in the Territories of Alaska and Hawaii, and the Hawaiian Islands.

The proposed amendments (b) and (c) so as to extend for a period of 7 years the time during which appropriations may be made and would not remain available for expenditure until June 30, 1953, unless sooner expended.

The enactment of S. 2875 would result in any over-all appropriations authorized to be appropriated for the airport program for the year 1950. As much as this Office has no information concerning the proposed legislation and since its enactment would not affect the work of this Office, I have no recommendation concerning the proposed amendment.

LINDSAY C. WARREN,
Comptroller General of the United States.

AIRPORT OPERATORS COUNCIL,
Washington, D. C., February 21, 1950.

*Foreign Commerce Committee,
Washington, D. C.*

As has been suggested by the members of the Airport Operators Council, we are pleased to be informed of our belief that the enactment of S. 2875 will be of great assistance in assisting municipalities in their effort to provide for the Federal Airport Act. We feel that the National Airport Authority Administrator and the Nation's major cities, in carrying out the Federal airport program is worthy of high priority.

At this time we are engaged in a large mass of work on legal and engineering details, as well as in meeting the requirements, both civil and military. The approval of necessary bond issues often requires a long period of time. An extension of time for completion of the program is in view of the experience record since the Airport Act was passed.

The Airport Operators Council can be of assistance in providing additional information and assistance call upon us.

CYRIL C. THOMPSON,
Executive Secretary.

THE AMERICAN MUNICIPAL ASSOCIATION,
Washington, D. C., April 25, 1950.

*Interstate and Foreign Commerce Committee,
Washington, D. C.*

The American Municipal Association, representing municipal governments, favors the bill S. 2875, extending

the useful period of the Federal Airport Act to the committee to approve this measure.

We respectfully request that this hearing with reference to S. 2875.

Very truly yours,

Senator SPESSARD HOLLAND,
Senate Office Building, Washington

DEAR SIR: Bill S. 2875 has been introduced in the Senate to extend the time for expending funds for the Federal Airport Act of 1946 to extend its provisions.

The City Commission understands that the bill is being introduced in the Interstate and Foreign Commerce Committee. Inasmuch as the Jacksonville Airport Authority in the Southeast is municipal government, it is tremendously interested in the passage of this bill.

Under the provisions of the Airport Act, appropriations of Federal funds over a 7-year period are authorized.

During the first 4 years of the operation of the program, appropriations have been less than \$40,000,000, leaving a large balance available for expenditure.

The City Commission of Jacksonville is interested in the program and to secure matching funds for the program, it is necessary to secure needed improvements to our airports.

Will you please exert your influence to the passage of this bill. The Commission is interested in the program which you may lend.

Yours very truly,

Calendar No. 1278

81ST CONGRESS }
2d Session }

SENATE

{ REPORT
No. 1270

CONSTRUCTION, PROTECTION, OPERATION, AND MAINTENANCE OF PUBLIC AIRPORT IN OR IN VICINITY OF THE DISTRICT OF COLUMBIA

FEBRUARY 10 (legislative day, JANUARY 4), 1950.—Ordered to be printed

Mr. JOHNSON of Colorado, from the Committee on Interstate and Foreign Commerce, submitted the following

REPORT

[To accompany S. 456]

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (S. 456) to authorize the construction, protection, operation, and maintenance of a public airport in or in the vicinity of the District of Columbia, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The bill, as amended, follows (matter to be omitted has been struck through; new matter is shown in italics):

[S. 456, 81st Cong., 2d sess.]

A BILL To authorize the construction, protection, operation, and maintenance of a public airport in or in the vicinity of the District of Columbia

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Civil Aeronautics (hereinafter referred to as the "Administrator") is hereby authorized and directed to construct, protect, operate, improve, and maintain within or in the vicinity of the District of Columbia, a public airport (including all buildings and other structures necessary or desirable therefor) ~~which, together with the Washington National Airport, will be adequate to meet the civil aviation needs, immediate and future, of the District of Columbia and surrounding area.~~

SEC. 2. For the purpose of carrying out this Act, the Administrator is authorized to acquire, by purchase, lease, condemnation, or otherwise (including transfer with or without compensation from Federal agencies or the District of Columbia, or any State or political subdivision thereof), such lands and interests in lands and appurtenances thereto, including aviation easements or air-space rights, as may be necessary or desirable for the construction, maintenance, improvement, operation, and protection of the airport: *Provided, That before making commitments for the acquisition of land, or the transfer of any lands, the Administrator shall consult and advise with the National Capital Park and Planning Commission as to the conformity of the proposed location with the Commission's comprehensive plan for the*

2 PUBLIC AIRPORT IN OR IN VICINITY OF DISTRICT OF COLUMBIA

National Capital and its environs, and said Commission shall, upon request, submit a report and recommendations thereon within thirty days.

SEC. 3. For the purposes of this Act, the Administrator is empowered to acquire, by purchase, lease, condemnation, or otherwise (including transfer with or without compensation from Federal agencies or the District of Columbia, or any State or political subdivision thereof), rights-of-way or easements for roads, trails, pipe lines, power lines, railroad spurs, and other similar facilities necessary or desirable for the construction or proper operation of the airport.

The Administrator is authorized to construct any streets, highways, or roadways (including bridges) as may be necessary to provide access to the airport from existing streets, highways, or roadways. Upon completion of construction of any street, highway, or roadway within the District of Columbia, such street, highway, or roadway shall be transferred to the District of Columbia without charge, and thereafter shall be maintained by the District of Columbia. Upon construction of any street, highway, or roadway within a State or political subdivision thereof, such street, highway, or roadway may be transferred to such State or political subdivision thereof, without charge, on the condition that such street, highway, or roadway thereafter be maintained as a public street, highway, or roadway by such State or political subdivision thereof.

SEC. 4. The Administrator shall have control over and responsibility for the care, operation, maintenance, improvement, and protection of the airport, together with the power to make and amend such rules and regulations as he may deem necessary to the proper exercise thereof: *Provided*, That the authority herein contained may be delegated by the Administrator to such official or officials of the Civil Aeronautics Administration as the Administrator may designate.

SEC. 5. The Administrator is empowered to lease under such conditions as he may deem proper and for such periods as may be desirable (not to exceed ten years) space or property within or upon the airport for purposes essential or appropriate to the operation of the airport.

SEC. 6. The Administrator is authorized to contract with any person for the furnishing of supplies or performance of services at or upon the airport necessary or desirable for the proper operation of the airport, including but not limited to, contracts for furnishing food and lodging, sale of aviation fuels, furnishing of aircraft repairs and other aeronautical services, and such other services and supplies as may be necessary or desirable for the traveling public. *No such contract shall extend for a period of longer than ten years, and the provisions of section 3709 of the Revised Statutes shall not apply to such contracts or the leases authorized under section 5 hereof. No such contract, except contracts involving the construction of permanent buildings or facilities, shall extend for a period of longer than ten years. The provisions of section 3709 of the Revised Statutes shall not apply to contracts authorized under this section, to leases authorized under section 5 hereof, or to contracts for architectural or engineering services necessary for the design and planning of the airport.*

SEC. 7. Any executive department, independent establishment, or agency of the Federal Government or the District of Columbia, for the purposes of carrying out this Act, is authorized to transfer to the Administrator, without compensation, upon his request, any lands, interests in lands (including aviation easements or air-space rights), buildings, property, or equipment under its control and in excess of its own requirements, which the Administrator may consider necessary or desirable for the construction, care, operation, maintenance, improvement, or protection of the airport.

SEC. 8. (a) The Administrator, and any Civil Aeronautics Administration employee appointed to protect life and property on the airport, when designated by the Administrator, is hereby authorized and empowered (1) to arrest under a warrant within the limits of the airport any person accused of having committed within the boundaries of the airport any offense against the laws of the United States, or against any rule or regulation prescribed pursuant to this Act; (2) to arrest without warrant any person committing any such offense within the limits of the airport, in his presence; or (3) to arrest without warrant within the limits of the airport any person whom he has reasonable grounds to believe has committed a felony within the limits of the airport.

(b) Any individual having the power of arrest as provided in subsection (a) of this section may carry firearms or other weapons as the Administrator may direct or by regulation may prescribe.

(c) The United States Park Police may, at the request of the Administrator, be assigned by the Director of the National Park Service, in his discretion, subject to the supervision and direction of the Secretary of the Interior, to patrol any

area of the airport, and any members of the United States Park Police so assigned are hereby authorized and empowered to make arrests within the limits of the airport for the same offenses, and in the same manner and circumstances, as is provided in this section with respect to employees designated by the Administrator.

(d) The officer on duty in command of those employees designated by the Administrator as provided in subsection (a) of this section may accept deposit of collateral from any person charged with the violation of any rule or regulation prescribed under this Act, for appearance in court or before the appropriate United States Commissioner; and such collateral shall be deposited with such United States Commissioner.

SEC. 9. The Administrator may enter into agreements with the State, or any political subdivision thereof, in which the airport or any portion thereof is situated, for such State or municipal services as the Administrator shall deem necessary to the proper and efficient operation and protection of the airport, and he may, from time to time, agree to modifications in any such agreement: *Provided, however,* That where the charge for any such service is established by the laws of the State, the Administrator may not pay for such service in excess of the charge so established.

SEC. 10. Any person who knowingly and willfully violates any rule, regulation, or order issued by the Administrator under this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than \$500 or to imprisonment not exceeding six months, or to both such fine and imprisonment.

SEC. 11. Unless the context otherwise requires, the definitions of the words and phrases used in this Act shall be the definitions assigned to such words and phrases by the Civil Aeronautics Act of 1938, as amended.

SEC. 12. There is hereby authorized to be appropriated the sum of \$ for the purpose of carrying out the provisions of this Act, said appropriation to remain available until expended. There are hereby authorized to be appropriated from year to year such sums as may be necessary for the proper development, improvement, maintenance, protection, control, and operation of said airport or as may be otherwise necessary to carry out the purpose of this Act.

The purpose of S. 456 is specifically to authorize the construction and operation of a second public airport in or near the District of Columbia in order to relieve the existing congestion at Washington National Airport and to allow for reasonably foreseeable future increases in commercial air traffic at Washington, D. C. The proposed legislation is legally necessary to empower the Administrator of Civil Aeronautics to undertake the construction and operation of the proposed airport. Special legislation was necessary to provide for the operation, maintenance, and protection of Washington National Airport (act of June 29, 1940, 54 Stat. 686). Although the Civil Aeronautics Act grants apparent authority to the Civil Aeronautics Administration for the construction of Government airports, such authority is uncertain and the passage of express legislation on the subject is therefore desirable.

Although no official figure has been furnished us, the Civil Aeronautics Administration informally estimates that a new airport constructed on any of the sites being considered, including cost of land, preparation of site, construction of buildings and access road for a minimum one runway (i. e., not parallel runways) system which would be adequate to handle the initial overflow of commercial air movements, would cost approximately \$14,000,000.

For purposes of comparison, Congress has spent \$18,232,691 on the Washington National Airport as of January 31, 1946. Subsequent congressional appropriations authorize the expenditure of an additional \$7,331,000. Thus the total cost of Washington National Airport, including funds spent and funds appropriated but not yet spent, amounts to \$25,563,691.

Traffic surveys made of the aircraft actually arriving at the Washington National Airport have shown that Washington National Airport is, to all intents and purposes, saturated by the air traffic which now exists in the Washington metropolitan area.

National Airport handled 114,168 scheduled air-carrier operations—a volume exceeded by only two other airports in the country, Chicago Municipal and LaGuardia.

By 1955, the Washington metropolitan area will require an airport capacity for 159,835 air-carrier movements, and 224,633 aircraft movements of all types. This figure was derived by applying a Nation-wide projection factor, worked out by Civil Aeronautics Administration experts.

Since the Washington National Airport is, to all intents and purposes, saturated by existing traffic, it will obviously be impossible for that airport to handle the 40-percent increase in air-carrier movements which will occur between now and 1955.

It has been found that Washington National Airport itself cannot be expanded because further construction would encroach on the channel of the Potomac River.

We have been advised by the Department of Defense that the military airport existing at Andrews Field will be exclusively required for military purposes within the foreseeable future. Thus it is concluded that an additional terminal airport for the Washington metropolitan area must be constructed.

AMENDMENTS

The Secretary of Commerce recommends that section 1, page 1, lines 8, 9, and page 2, lines 1 and 2, be amended by striking out the words:

which together with the Washington National Airport, will be adequate to meet the civil aviation needs, immediate and future, of the District of Columbia and the surrounding areas.

He points out that the proposed additional airport will not necessarily eliminate the need for small airports for types of aircraft operation other than air-carrier operations, such as personal flying and student instruction.

The National Capital Park and Planning Commission and the Department of Commerce propose the following addition to section 2:

Provided, That before making commitments for the acquisition of land, or the transfer of any lands, the Administrator shall consult and advise with the National Capital Park and Planning Commission as to the conformity of the proposed location with the Commission's comprehensive plan for the National Capital and its environs, and said Commission shall upon request submit a report and recommendations thereon within thirty days.

According to the Commission, the proviso quoted above: would help to secure the proper coordination in acquiring transfer and development.

The Secretary of Commerce recommends that the last sentence of section 6 be stricken and the following substituted therefor:

No such contract, except contracts involving the construction of permanent buildings and facilities, shall extend for a period of longer than ten years. The provisions of section 3709 of the Revised Statutes shall not apply to contracts

authorized under this section, to leases authorized under section 5 hereof, or to contracts for architectural or engineering services necessary for the design and planning of the airport.

The following are comments from various Government agencies and industry groups regarding the merits of this legislation:

DEPARTMENT OF COMMERCE,
Washington 25, February 3, 1950.

HON. EDWIN C. JOHNSON,
*Chairman, Committee on Interstate and Foreign Commerce,
United States Senate, Washington, D. C.*

DEAR MR. CHAIRMAN: This is in reply to the letter from your committee requesting the comments of the Department of Commerce on S. 456, a bill to authorize the construction, protection, operation, and maintenance of a public airport in or in the vicinity of the District of Columbia. The Department of Commerce strongly endorses S. 456 and recommends its early enactment.

For the past year, the Civil Aeronautics Administration of this Department has been engaged in an intensive study of the terminal airport need for the Washington metropolitan area. During this period, traffic surveys made of the aircraft actually arriving at and departing from the Washington National Airport have shown that Washington National Airport is, to all intents and purposes, saturated by the air traffic which now exists in the Washington metropolitan area. This survey shows that there exists at Washington National Airport a period of 10 consecutive hours of each day during which the average daily number of aircraft movements per hour is at or in excess of the existing and foreseeable instrument capacity of the Washington National Airport. As a result of this situation, the scheduled air carriers, during instrument conditions, are required to delay, or fail to complete, scheduled trips. These delays and incomplete trips result in direct increased costs to the carriers, increased costs and inconvenience to the passengers and shippers, and delays in handling the mail.

During the calendar year 1948 (the latest calendar-year figures available at this time), Washington National Airport handled 114,168 scheduled air-carrier operations. In this particular, it was exceeded by only two other airports in the United States, Chicago Municipal Airport and LaGuardia Airport in New York. The Civil Aeronautics Administration of this Department has developed on the basis of national surveys certain formulas for the purpose of estimating on the basis of known air-carrier operations in 1948, the expected increase in air-carrier operations in 1955. The method and manner in which such formulas were arrived at are set forth in the attached booklets, in particular the one entitled "Peak Air Carrier Movements at Airports." By applying the national projection factor thus obtained to the total of scheduled air-carrier operations at Washington National Airport in the calendar year 1948 and the total aircraft operations at the airport in 1948, it is anticipated that the Washington metropolitan area will require in 1955 airport capacity for 159,835 air-carrier movements, and 224,633 aircraft movements of all types. This is, in general, a 40 percent increase in aircraft movements. Since the Washington National Airport is, to all intents and purposes, saturated by existing traffic, it will obviously be impossible for that airport to handle the 40 percent increase in air-carrier movements which will occur between now and 1955.

Having concluded that additional airport facilities are required for the Washington metropolitan area by 1955, the Department has examined the various possibilities of providing such additional facilities. Washington National Airport itself cannot be expanded because further construction would encroach on the channel of the Potomac River. There are no local political subdivisions in the Washington metropolitan area financially capable of sponsoring the development of an airport under the Federal Airport Act. We have been advised by the Department of Defense that the military airport existing at Andrews Field will be exclusively required for military purposes within the foreseeable future. Thus it is concluded that an additional terminal airport for the Washington metropolitan area must be constructed.

In studying this problem, the Department has given consideration to the possibility of using Friendship Church Airport instead of constructing an additional terminal airport facility in the Washington metropolitan area. The Department has concluded that such action would not provide a permanent solution of the problem. In the first place, Friendship Church Airport was designed to serve the air traffic generated by the Baltimore metropolitan area.

It was constructed primarily with funds provided by the taxpayers of the city of Baltimore, and air traffic whose primary function is to serve the Baltimore metropolitan area should receive priority from the use of the airport. Thus, only that surplus capacity of the Friendship Church Airport over and above that needed to meet the air-traffic needs of the Baltimore metropolitan area would be available for Washington air traffic. The existence and extent of this surplus capacity is difficult to estimate. This is due to the fact that the city of Baltimore has long had inadequate airport facilities, which has restricted the development of the air traffic potential of that area. However, more important than any of these considerations is the fact that Washington is the Nation's Capital and for that reason requires the best service that the air-transportation industry can offer. Obviously such service cannot be rendered nor can the convenience of the users of the air transportation in the Nation's Capital be served by selecting as a second terminal airport for Washington, D. C., a location which increases the time spent in ground transportation approximately four times over that which is the case if Washington National Airport is used.

S. 456 authorizes the Administrator of Civil Aeronautics to construct, operate, and maintain an additional airport in or in the vicinity of the District of Columbia. The Department considers legislation of this type to be the proper answer to the need for additional terminal airport facilities in the Washington metropolitan area. It provides for an airport so located as to best serve the air traffic generated by the Nation's Capital. It would promote the maximum of efficiency and economy in operation by placing the administration of the new airport under the same management as the Washington National Airport. This would simplify not only management and operation problems, but also the multitude of adjustment problems arising out of the need for segregation of the scheduled air carriers serving the Washington metropolitan area between two terminals. While the Administrator of Civil Aeronautics already has authority under the Civil Aeronautics Act of 1938, as amended, to construct and operate airports, nevertheless it is the policy of the President to seek specific authorization in instances involving the construction of a major metropolitan airport. In addition, legislation of the nature set forth in S. 456 is essential because the operation of an airport is a business enterprise, and if the Administrator of Civil Aeronautics is to execute this function so as to operate the airport insofar as practicable on a paying basis he should be granted legal authority which will place him in approximately the same position as a privately owned organization providing the same type of service. The legislation is well suited to accomplish this objective. It would remove certain existing legal impediments to the negotiation of contracts in the interest of the public with private individuals; would safeguard the interests of the public by providing that lease agreements in connection with the operation of the airport shall not be for more than 10 years; and would provide the Administrator with necessary police power in connection with the operation of the airport.

The provisions of section 3709 of the Revised Statutes which, by interpretation, do not apply to the operation of the Washington National Airport (Public Law 674, 76th Cong.), should not apply to the airport considered in S. 456. These contracts cover lease of space by air carriers and concessionaires, and the providing of services by concessionaires, and do not lend themselves to the prior advertising procedure required under section 3709. This does not mean an absence of competition. In the case of purchases by the Government, negotiations will be conducted with a sufficient number of prospective contractors to insure lowest cost to the Government.

The provisions of sections 5 and 6, limiting the length of contracts made thereunder to 10 years is, generally speaking, desirable. However, if the lease involves construction of a permanent building, such as an office building, hotel, or similar facility by the lessee, the limitation of 10 years would prohibit and probably defeat successful negotiations in this connection. Further, the Civil Aeronautics Administration has encountered considerable difficulty in using competitive bidding in contracting for architectural and engineering services incident to the designing and planning of airports. The professional organizations severely criticized this method of operation because of the professional-client relationship involved. To avoid these difficulties, we recommend that the last sentence of section 6 be stricken and the following substituted therefor: "No such contract, except contracts involving the construction of permanent buildings or facilities, shall extend for a period of longer than 10 years. The provisions of section 3709 of the Revised Statutes shall not apply to contracts authorized under this section, to leases authorized under section 5 hereof, or to contracts for architectural or engineering services necessary for the design and planning of the airport."

Also we recommend that section 1 of the bill be amended by striking the words "which, together with the Washington National Airport, will be adequate to meet the civil aviation needs, immediate and future, of the District of Columbia and surrounding areas." These words are likely to create the impression that the proposed airport, together with the Washington National Airport, will be adequate to meet all the civil aviation needs of the Washington area now and for the future. This is not completely true. The bill will provide adequate terminal airport facilities for the future needs of air carriers serving Washington, D. C. It may not obviate the need for small airports for types of aircraft operations other than air carrier, such as personal flying, student instruction and other similar activities utilizing small aircraft. Authority for the construction of such airports by joint contribution procedures already exists under the Federal Airport Act, and we would not wish such authority compromised by language of the type referred to above.

The power of arrest provisions in S. 456 are substantially the same as those contained in the Washington National Airport Act, as amended. They have been found necessary for the operation of the Washington National Airport and will be necessary in the case of the new airport.

The problem of locating a suitable site for the construction of a second terminal airport for the Washington metropolitan area is one of prime importance. Funds for land acquisition and detailed engineering surveys will be required before tentative selection of a site can be effected. In this connection, the Department considers it desirable that consultation be effected with the National Capital Park and Planning Commission in order to obtain their advice as to the effect any proposed location would have upon the comprehensive plan for the Nation's Capital. In order to provide for this coordination, it is recommended that the legislation be amended by adding at the end of section 2 the following proviso, after substituting a colon for the period following the word "airport": "Provided, That before making commitments for the acquisition of land, or the transfer of any lands, the Administrator shall consult and advise with the National Capital Park and Planning Commission as to the conformity of the proposed location with the Commission's comprehensive plan for the National Capital and its environs, and said Commission shall upon request submit a report and recommendations thereon within thirty days."

The Bureau of the Budget has been consulted and it advises that this report is in accord with the program of the President.

Sincerely yours,

C. V. WHITNEY,
Acting Secretary of Commerce.

GENERAL ACCOUNTING OFFICE,
COMPTROLLER GENERAL OF THE UNITED STATES,
Washington 25, February 23, 1949.

Hon. EDWIN C. JOHNSON,

Chairman, Committee on Interstate and Foreign Commerce,
United States Senate.

MY DEAR MR. CHAIRMAN: Further reference is made to your letter of January 19, 1949, acknowledged January 25, 1949, enclosing a copy of S. 456, Eighty-first Congress, entitled "A bill to authorize the construction, protection, operation, and maintenance of a public airport in or in the vicinity of the District of Columbia," and requesting any comments I may care to offer concerning this proposed legislation.

Briefly, the bill would authorize and direct the Administrator of Civil Aeronautics to construct and otherwise maintain a public airport which, together with the Washington National Airport, would be adequate to meet the civil aviation needs of the District of Columbia. Sections 2 and 3 of the bill would authorize the Administrator to secure the land and easements necessary or desirable for the construction and proper operation of the airport. Section 4 would empower the Administrator to make and amend such rules and regulations as he may deem necessary to the proper exercise of his responsibility for the care, maintenance, and protection of the airport and provides that such authority may be delegated to such subordinate officials as he may designate. Section 5 would empower the Administrator to lease space or property within or upon the airport under such conditions and for such periods as he may deem proper or desirable, not to exceed 10 years. Section 6 would authorize the Administrator to enter into contracts with any person for the furnishing of supplies or performance of services desirable

for the proper operation of the airport, including but not limited to contracts for furnishing food and lodging, sale of aviation fuels, furnishing of aircraft repairs and other aeronautical services and supplies as may be necessary or desirable for the traveling public, such contracts not to extend for a period of longer than 10 years and such contracts and the leases authorized in section 5 not to be subject to the provisions of section 3709, Revised Statutes. Section 7 would authorize the transfer of any property under the control of the Federal Government or the District of Columbia, to the Administrator, at his request and without compensation, which may be surplus to the agency owning such property and which the Administrator considers desirable or necessary to the needs of the airport.

Sections 8, 9, and 10 of the proposed bill provide for the police protection of the airport and are similar to the provisions of the act of May 15, 1947 (61 Stat. 94), relative to the Washington National Airport. Section 11 provides that the definitions of the words and phrases used in the bill shall be the definitions assigned to such words and phrases by the Civil Aeronautics Act of 1938, as amended. Section 12 (apparently appearing in error as sec. 2) would authorize to be appropriated an initial sum for the purpose of carrying out the provisions of the proposed bill, such sum to remain available until expended and also would authorize the appropriation of such further sums from year to year as may be necessary.

This Office has no information as to the need or desirability of additional airport facilities in or near the District of Columbia such as contemplated by the proposed bill. However, I deem it proper to invite your attention to the provision contained in section 6, which provides that the contracts authorized in that section and the leases authorized in section 5, shall not be subject to the provisions of section 3709, Revised Statutes. Although this Office has no specific objection to the inclusion of such provision in the proposed bill, it might be stated that section 3709, Revised Statutes, has served in the past to obtain for the Government the most advantageous prices in fulfilling its requirements and to secure to any qualified business concern an equal opportunity for obtaining that business, thereby eliminating any possibility of charges of favoritism and collusion in the award of Government contracts.

It is noted that section 3 of the act of June 29, 1940 (54 Stat. 688), relative to the authority of the Administrator to execute leases in connection with the operation of the Washington National Airport, contained authority to execute such leases upon such terms as he might deem proper, with no limitation as to the period such leases might cover. That section, however, subsequently was amended by a proviso contained in the First Supplemental Civil Functions Appropriation Act, 1941 (54 Stat. 1030, 1039), stating "That in the operation of such airport no agreement shall be entered into for the use of any hangar or space therein for a period exceeding three years nor shall any agreement be entered into for the operation of any concession for a period of five years except the restaurant." Inasmuch as the proposed airport would operate under conditions similar to those under which the Washington National Airport operates, it would appear that the period which such leases and contracts would cover should be limited at least to the period provided for the similar contracts and leases contemplated by such prior legislation, unless it be shown to the satisfaction of the Congress that such contracts enumerated in section 6 should provide for a longer period of time. In this connection, attention is invited to section 3735, Revised Statutes (41 U. S. C. 13), making it unlawful for executive departments to execute contracts for a term longer than 1 year, except as otherwise provided by law.

Other than as above suggested, I have no recommendations to make relative to the enactment of the bill, S. 456.

Sincerely yours,

LINDSAY C. WARREN,
Comptroller General of the United States.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION,
Washington, D. C., February 1, 1950.

Subject: Senate 456—Public airport in or in vicinity of District of Columbia.

HON. EDWIN C. JOHNSON,

*Chairman, Committee on Interstate and Foreign Commerce,
United States Senate, Washington 25, D. C.*

MY DEAR SENATOR JOHNSON: Reference is made to your letter of February 25, 1949, in which you request the comments of this Commission concerning Senate bill No. 456, to authorize the construction, protection, operation, and maintenance of a public airport in or in the vicinity of the District of Columbia.

The Commission at its meeting on April 28, 1949, voted to endorse this legislation provided it is amended by adding at the end of section 2 the following proviso, after substituting a colon for the period following word "airport": "Provided, That before making commitments for the acquisition of land, or the transfer of any lands, the Administrator shall consult and advise with the National Capital Park and Planning Commission as to the conformity of the proposed location with the Commission's comprehensive plan for the National Capital and its environs, and said Commission shall upon request submit a report and recommendations thereon within thirty days."

The principal function of this Commission is to develop and maintain a comprehensive, consistent, and coordinated plan of the National Capital and its environs. Studies already made of alternate locations for a public airport of the scope proposed indicate that it would not only be a primary element in the comprehensive plan but would also require coordinated planning of many other elements, not only by the Federal Government but by State and local agencies. The proviso above would help to secure the proper coordination in acquisition, transfer, and development.

Similar provisions to those recommended in the amendment have been incorporated in prior legislation, such as that authorizing acquisition of a site for the naval hospital, and we believe have proven effective in securing sites, making equitable arrangements for transfer of land and obtaining a development coordinated with that of the surrounding community.

This report has been submitted to the Bureau of the Budget, and we are advised the proposed amendments are in accord with the program of the President.

Sincerely yours,

A. E. DEMARAY,

Vice Chairman and Acting Executive Officer.

EXHIBIT A

AIR TRANSPORT ASSOCIATION OF AMERICA,
September 22, 1948.

Mr. W. E. KLINE,

*Assistant Administrator for Federal Airways,
Civil Aeronautics Administration,
Washington 25, D. C.*

DEAR MR. KLINE: Please refer to your letter of August 18, 1948, and my reply of August 25, 1948, concerning your request for certain statistical data regarding the inadequacies of Washington National Airport, insofar as the scheduled air lines are concerned and the attendant costs to the air lines.

Time has not permitted as thorough or comprehensive an analysis of this problem as we desired in the compilation of the statistics requested. The figures presented at this time are the results of a detailed analysis by the air lines. We do, however, believe them to be reasonably accurate and on the conservative side.

The following is based on the months of January, February, and March 1948:

1. Amount of delays to scheduled aircraft in hours:

- A. Three hundred and twenty-three hours in the air.
- B. Seven hundred and thirty-nine hours on the ground.

B above does not include delays on the ground at adjacent airports awaiting take-off clearance for Washington. These additional delays can be safely assumed to be 50 percent of the Washington ground delays. This would increase B to 1,108 for a total of 1,431 hours delay to all scheduled aircraft.

2. Estimated cost of these delays:

- A. \$84,931 for delays in the air.
- B. \$63,045 for delays on the ground.

B does not include on-the-ground-delay costs produced by delays at adjacent airports awaiting clearance for Washington. Inclusion of this factor will increase B to \$94,567, for a grand total of \$179,498 incurred as a result of all delays.

3. Number of percentage of flights affected: A total of 1925 scheduled flights were delayed. This represents approximately 51 percent of all instrument flights operated.

4. The number of flights which did not land at Washington due to weather conditions, inadequate facilities or anticipated delays was 584.

5. The estimated direct cost of these "over" flights was \$136,466.

10 PUBLIC AIRPORT IN OR IN VICINITY OF DISTRICT OF COLUMBIA

6. The estimated intangible cost produced by inconvenience to passengers or shippers resulted in loss of patronage in an amount estimated at \$484,322.

7. The estimated number of passengers affected by any of the above is 24,090.

8. The estimated amount of mail which did not receive the most expeditious handling or could not be carried was 301,822 pounds.

9. The estimated amount of cargo that was delayed or which could not be hauled was 405,068 pounds.

10. The above figures are based on the operation of eight scheduled air carriers operating into Washington. A conservative estimate of the total cost to the air lines during the 3-month period amounts to \$800,286. Over a 12-month period this would be increased to a minimum of \$2,500,000 loss to the scheduled airlines.

Eastern Air Lines' in-the-air delay for the 3-month period, as an example, is equivalent to six full days of continuous holding in the vicinity of Washington Airport. A Constellation circling the Washington National Airport at a direct operation cost of \$300 per hour for six full days amounts to \$43,200. Under 1B, considering the delays on the ground at Washington and at adjacent stations for in-bound flights, it can be reasonably supposed that the total delays on the ground to Eastern Air Lines during this period of time was 7½ days. Aircraft utilization averages 10 hours per day at the present time, thus this delay is equivalent to one Constellation with full crews, both flight and ground, standing idle on the ground a total of 18 full days.

In addition to the figures furnished by Eastern Air Lines for ground delays, ramp congestion resulted in 434 flights or 8.1 percent of the Eastern flights being delayed for a total of 59 hours 43 minutes. Based on a 10-hour-day utilization of an aircraft, ramp congestion resulted in an Eastern aircraft being delayed the equivalent of six operating days.

Combining all of the above figures of Eastern's delays, it is apparent that during this period a million-dollar Constellation could have flown empty over Washington National Airport for 6 full days and then remained idle on the ground for 24 additional days, totaling 30 days that this aircraft could have been out of service during the 90-day period.

A total of 9,135 passengers, 109,620 pounds of mail, and 167,475 pounds of air express and freight were affected in this one company alone.

In our opinion, the necessity for an additional airport in the Washington metropolitan area is imperative to correct the conditions outlined in this letter. The irregular operations produced as a result of airport and ramp congestion obviously have a very adverse effect on the traveling public. The air lines have tentatively estimated 35 percent of the decline in load factors to be the result of a loss of confidence on the part of the traveling public. Without regular and reliable service no transportation system can be expected to develop on a sound operational basis. Certainly there can be no expansion of commercial transportation in the Washington area until an additional airport is developed. Neither is it possible to eliminate the losses produced as a result of the conditions described in the answers to your request of August 18.

We are most anxious to assist you in every possible way in this problem.

Sincerely yours,

MILTON W. ARNOLD,
Vice President, Operations and Engineering.

*Department of Justice,
February 1, 1950.*

Hon. EDWIN C. JOHNSON

*Chairman, Committee on Interstate and Foreign Commerce,
United States Senate, Washington, D. C.*

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice concerning the bill (S. 456) to authorize the construction, protection, operation, and maintenance of a public airport in or in the vicinity of the District of Columbia.

The general purpose of the bill is to authorize the construction and operation of a public airport within or in the vicinity of the District of Columbia which, together with the Washington National Airport, would provide adequately for the terminal airport needs of the District and the surrounding area.

The first seven sections of the bill contain provisions which would authorize the Administrator of Civil Aeronautics to acquire the necessary lands and appur-

tenances for the construction of the proposed airport, to construct the necessary highways, streets, and roadways, to lease space or property within or upon the airport for purposes essential to its operation, to contract for the furnishing of supplies or services, and to make rules and regulations deemed necessary to the care, operation, maintenance, improvement, and protection of the airport.

Section 8 (a) would authorize and empower the Administrator and any Civil Aeronautics Administration employee designated by him, within the limits of the airport, (1) to arrest under a warrant any person accused of having committed within the boundaries of the airport any offense against the laws of the United States or against any rule or regulation prescribed under this measure; (2) to arrest without a warrant any person committing any such offense within the limits of the airport in his presence; and (3) to arrest without a warrant within the limits of the airport any person whom he has reasonable grounds to believe has committed a felony within the limits of the airport.

Section 8 (b) would authorize any person having the power of arrest to carry firearms or other weapons as the Administrator may direct or prescribe by regulation.

Section 8 (c) would provide that the United States Park Police may, at the request of the Administrator, be assigned by the Director of the National Park Service, subject to the supervision and direction of the Secretary of the Interior, to patrol any area of the airport with the same authority to make arrests as is provided with respect to employees designated by the Administrator.

Section 8 (d) would provide that the officer on duty in command of those employees authorized to make arrests may accept deposit of collateral from any person charged with a violation of any rule or regulation for appearance in court or before the appropriate United States Commissioner.

Section 9 would provide that the Administrator may enter into agreements with the State, or any political subdivision thereof, in which the airport or any portion thereof is situated, for such State or municipal services as the Administrator shall deem necessary to the proper and efficient operation and protection of the airport.

Section 10 would provide that any person who knowingly and willfully violates any rule, regulation, or order issued by the Administrator under the measure shall be deemed guilty of a misdemeanor punishable by a fine of not more than \$500 or imprisonment not exceeding six months, or both.

The Department of Justice would have no objection to the enactment of the bill.

The Director of the Bureau of the Budget has advised that there is no objection to the submission of this report.

Yours sincerely,

PEYTON FORD,
The Assistant to the Attorney General.

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S. 1278

IN THE SENATE OF THE UNITED STATES

MARCH 16 (legislative day, FEBRUARY 21), 1949

Mr. McCARRAN introduced the following bill; which was read twice and referred to the Committee on Interstate and Foreign Commerce

A BILL

To fix the United States share of project costs, under the Federal Airport Act, involved in installation of high intensity lighting on CAA designated instrument landing runways.

- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 10 of the Federal Airport Act is amended by
4 adding the following new subsection:
5 “(d) To the extent that the project costs of an approved
6 project represent the cost of installation of high intensity
7 lighting on runways designated instrument landing runways
8 by the Administrator, the United States share shall be not
9 to exceed 75 per centum of the allowable costs of such
10 installation.”

81ST CONGRESS
1ST SESSION

S. 1281

IN THE SENATE OF THE UNITED STATES

MARCH 16 (legislative day, FEBRUARY 21), 1949

Mr. McCARRAN introduced the following bill; which was read twice and referred to the Committee on Interstate and Foreign Commerce

A BILL

To amend the Federal Airport Act so as to make the United States share of costs for land acquisition the same as for other project costs.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That section 10 of the Federal Airport Act is amended by
- 4 striking out all of subsection (d) thereof.

81st CONGRESS
1ST SESSION

S. 1282

IN THE SENATE OF THE UNITED STATES

MARCH 16 (legislative day, FEBRUARY 21), 1949

MR. McCARRAN introduced the following bill; which was read twice and referred to the Committee on Interstate and Foreign Commerce

A BILL

To authorize grants under the Federal Airport Act for minor projects at major airports.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That section 8 of the Federal Airport Act is amended to
4 read as follows:

5 "SEC. 8. At least two months prior to the close of each
6 fiscal year, the Administrator shall submit to the Congress
7 a request for authority to make grants during subsequent
8 fiscal years for that development of class 4 and larger
9 airports which is included in the current revision of the
10 national airport plan and, in his opinion, should be under-
11 taken during the next fiscal year or as soon thereafter as

1 feasible, and for which grants have not previously been
2 authorized as provided herein, together with an estimate
3 of the Federal funds required to pay the United States share
4 of the allowable project costs of such development; provided
5 that a grant of funds for the development of any class 4
6 or larger airports, not in excess of \$50,000 during any
7 fiscal year, may be made without prior submission of a
8 request for and grant of authority pursuant to this section.
9 In determining what development to include in such a
10 request, the Administrator shall consider, among other
11 things, the relative aeronautical need for and urgency of
12 all such development included in the plan and the likelihood
13 of securing satisfactory sponsorship of projects for the accom-
14 plishment of such airport development. Any subsequent
15 appropriation of funds pursuant to section 5 of this Act
16 shall be deemed to grant the authority requested, unless a
17 contrary intent shall have been manifested by the Congress
18 by law or by concurrent resolution. No grant of funds in
19 excess of \$50,000 for development of any class 4 or larger
20 airport shall be made unless authorized as provided herein.”

81ST CONGRESS
1ST SESSION

S. 1888

IN THE SENATE OF THE UNITED STATES

MAY 18 (legislative day, APRIL 11), 1949

Mr. JOHNSON of Colorado (by request) introduced the following bill; which was read twice and referred to the Committee on Interstate and Foreign Commerce

A BILL

To amend the Federal Airport Act

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That section 2 (b) of the Federal Airport Act is amended
4 to read as follows:

5 “(b) For purposes of this Act, a project shall be
6 considered one for development of a class 4 or larger airport
7 if upon completion of the airport development proposed in
8 such project, the airport so developed would have one or
9 more paved runways of a length of or in excess of four
10 thousand five hundred feet, and a project shall be considered
11 one for development of a class 3 or smaller airport if upon

1 completion of the development proposed, the airport so
2 developed would have no paved runway of a length of or
3 in excess of four thousand five hundred feet: *Provided,*
4 That such minimum or maximum limit, as the case may be,
5 shall be increased twenty-five one-hundredths foot for each
6 foot of elevation of the airport above sea level.”

7 SEC. 2. The second sentence of section 3 (a) of the
8 Federal Airport Act is amended by striking out the word
9 “projects” and inserting in lieu thereof the words “airport
10 development”.

11 SEC. 3. The second sentence of section 8 of the Federal
12 Airport Act is amended to read as follows: “In determining
13 what airport development to include in such a request, the
14 Administrator shall consider, among other things, the rela-
15 tive aeronautical need for and urgency of the airport develop-
16 ment included in the plan and the likelihood of securing
17 satisfactory sponsorship of projects for the accomplishment
18 thereof.”

19 SEC. 4. The first sentence of section 9 (d) of the
20 Federal Airport Act is amended by striking out the words
21 “sufficient funds are available” and inserting in lieu thereof
22 the words “sufficient funds will be available as needed”.

23 SEC. 5. Section 11 (5) of the Federal Airport Act is
24 amended by striking out the words “as may be reasonably
25 adequate” and inserting in lieu thereof the words “which

1 have been a part of the Federal project as has been reason-
2 ably adequate”.

3 SEC. 6. Section 14 of the Federal Airport Act is
4 amended by inserting after the second sentence thereof a
5 new sentence as follows: “In order that such funds may be
6 expended in conformity with State plans and programs for
7 airport construction, all United States sums thus apportioned
8 for expenditure in the States shall be allotted to each State
9 airport agency, or pending the establishment of such an
10 agency, shall be allotted to the chief executive of the State,
11 and the State airport agency, or the chief executive of the
12 State, shall accept, receive, receipt for, and administer such
13 funds.”

14 SEC. 7. The first sentence in section 16 (a) of the
15 Federal Airport Act is amended to read as follows: “When-
16 ever the Administrator determines that use of any lands
17 owned or controlled by the United States is reasonably
18 necessary for carrying out a project under this Act, or for
19 the development or operation of any public airport, he shall
20 file with the head of the department or agency having con-
21 trol of such lands a request that such property interest
22 therein as he may deem necessary be conveyed to the public
23 agency sponsoring the project in question, proposing such
24 development, or owning or controlling the airport.”