

Repeals.  
Ante, p. 82.

(60) The Act entitled "An Act to revise eligibility requirements for burial in national cemeteries, and for other purposes", approved September 14, 1959 (73 Stat. 547).

(61) The Act entitled "An Act to amend the Act of March 24, 1948, which establishes special requirements governing the selection of superintendents of national cemeteries", approved August 30, 1961 (75 Stat. 411).

(b) Nothing in this section shall be deemed to affect in any manner the functions, powers, and duties of—

(1) the Secretary of the Interior with respect to those cemeteries, memorials, or monuments under his jurisdiction on the effective date of this section, or

(2) the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force with respect to those cemeteries, memorials, or monuments under his jurisdiction to which the transfer provisions of section 6(a) of this Act do not apply.

73 Stat. 453.

SEC. 8. The first sentence of section 3505(a) of title 38, United States Code, is amended by inserting immediately after the words "gratuitous benefits" where first appearing therein, the following: "(including the right to burial in a national cemetery)".

SEC. 9. (a) The Secretary of Defense is authorized and directed to cause to be brought to the United States the remains of an American, who was a member of the Armed Forces of the United States, who served in Southeast Asia who lost his life during the Vietnam era, and whose identity has not been established, for burial in the Memorial Amphitheater of the National Cemetery at Arlington, Virginia.

(b) The implementation of this section shall take place after the United States has concluded its participation in hostilities in Southeast Asia, as determined by the President or the Congress of the United States.

Appropriation.

(c) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

Effective dates.

SEC. 10. (a) The first section and sections 2, 3, 4, and 8 of this Act shall take effect on the date of enactment of this Act.

(b) Clause (1) of section 5(a) shall take effect on the first day of the second calendar month following the date of enactment of this Act.

Publication in Federal Register.

(c) Clause (2) of section 5(a) and sections 6 and 7 of this Act shall take effect September 1, 1973, or on such earlier date as the President may prescribe and publish in the Federal Register.

Approved June 18, 1973.

Public Law 93-44

AN ACT

June 18, 1973  
[S. 38]

To amend the Airport and Airway Development Act of 1970, as amended, to increase the United States share of allowable project costs under such Act, to amend the Federal Aviation Act of 1958, as amended, to prohibit certain State taxation of persons in air commerce, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Airport Development Acceleration Act of 1973".*

Airport Development Acceleration Act of 1973.  
84 Stat. 220.

SEC. 2. Section 11(2) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1711) is amended by inserting immediately after "Federal Aviation Act of 1958," the following: "and security equipment required of the sponsor by the Secretary by rule or regulation

for the safety and security of persons and property on the airport.”

SEC. 3. (a) Section 14(a) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1714(a)), is amended—

Grants, in  
crease.  
84 Stat. 224.

(1) by striking out “1975” in paragraph (1) and inserting in lieu thereof “1973, and \$275,000,000 for each of the fiscal years 1974 and 1975”; and

(2) by striking out “1975” in paragraph (2) and inserting in lieu thereof “1973, and \$35,000,000 for each of the fiscal years 1974 and 1975”.

(b) Section 14(b) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1714(b)) is amended—

Obligational au-  
thority of Secre-  
tary of Transporta-  
tion.

(1) by striking out “\$840,000,000” in the first sentence thereof and inserting in lieu thereof “\$1,460,000,000”;

(2) by striking out “extend beyond” in the second sentence thereof and by inserting in lieu thereof “be incurred after”; and

(3) by striking out “and” in the last sentence thereof and inserting immediately before the period “, an aggregate amount exceeding \$1,150,000,000 prior to June 30, 1974, and an aggregate amount exceeding \$1,460,000,000 prior to June 30, 1975”.

SEC. 4. Section 16(c) (1) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1716(c)) is amended by inserting in the last sentence thereof “or the United States or an agency thereof” after “public agency”.

SEC. 5. Section 17 of the Airport and Airway Development Act of 1970 (49 U.S.C. 1717) relating to United States share of project costs, is amended—

Project costs,  
U.S. share, limi-  
tation.

(1) by striking out subsection (a) of such section and inserting in lieu thereof the following:

“(a) GENERAL PROVISION.—Except as otherwise provided in this section, the United States share of allowable project costs payable on account of any approved airport development project submitted under section 16 of this part may not exceed—

“(1) 50 per centum for sponsors whose airports enplane not less than 1 per centum of the total annual passengers enplaned by air carriers certificated by the Civil Aeronautics Board; and

“(2) 75 per centum for sponsors whose airports enplane less than 1 per centum of the total annual passengers enplaned by air carriers certificated by the Civil Aeronautics Board and for sponsors of general aviation or reliever airports.”; and

(2) by adding at the end thereof the following new subsection:

“(e) SAFETY CERTIFICATION AND SECURITY EQUIPMENT.—

“(1) To the extent that the project cost of an approved project for airport development represents the cost of safety equipment required by rule or regulation for certification of an airport under section 612 of the Federal Aviation Act of 1958 the United States share may not exceed 82 per centum of the allowable cost thereof with respect to airport development project grant agreements entered into after May 10, 1971.

“(2) To the extent that the project cost of an approved project for airport development represents the cost of security equipment required by the Secretary by rule or regulation, the United States share may not exceed 82 per centum of the allowable cost

84 Stat. 234;  
85 Stat. 492.  
49 USC 1432.

thereof with respect to airport development project grant agreements entered into after September 28, 1971.”

84 Stat. 221.

SEC. 6. The first sentence of section 12(a) of the Airport and Airway Development Act of 1970 (49 U.S.C. 1712(a)) is amended by striking out “two years” and inserting in lieu thereof “three years”.

72 Stat. 797;  
84 Stat. 1502.  
49 USC 1501.

SEC. 7. (a) Title XI of the Federal Aviation Act of 1958 is amended by adding at the end thereof the following new section:

“STATE TAXATION OF AIR COMMERCE

Prohibition ex-  
emption.

“SEC. 1113. (a) No State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) shall levy or collect a tax, fee, head charge, or other charge, directly or indirectly, on persons traveling in air commerce or on the carriage of persons traveling in air commerce or on the sale of air transportation or on the gross receipts derived therefrom; except that any State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) which levied a tax, fee, head charge, or other charge, directly or indirectly, on persons traveling in air commerce or on the carriage of persons traveling in air commerce or on the sale of air transportation or on the gross receipts derived therefrom prior to May 21, 1970, shall be exempt from the provisions of this subsection until December 31, 1973.

Permissible  
State taxes and  
fees.

“(b) Nothing in this section shall prohibit a State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) from the levy or collection of taxes other than those enumerated in subsection (a) of this section, including property taxes, net income taxes, franchise taxes, and sales or use taxes on the sale of goods or services; and nothing in this section shall prohibit a State (or political subdivision thereof, including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the District of Columbia, the territories or possessions of the United States or political agencies of two or more States) owning or operating an airport from levying or collecting reasonable rental charges, landing fees, and other service charges from aircraft operators for the use of airport facilities.

Nonapplica-  
bility.

“(c) In the case of any airport operating authority which—  
“(1) has an outstanding obligation to repay a loan or loans of amounts borrowed and expended for airport improvements;  
“(2) is collecting without air carrier assistance, a head tax on passengers in air transportation for the use of its facilities; and  
“(3) has no authority to collect any other type of tax to repay such loan or loans,  
the provisions of subsection (a) shall not apply to such authority until December 31, 1973.”

(b) That portion of the table of contents contained in the first section of such Act which appears under the center heading

“TITLE XI—MISCELLANEOUS”

is amended by adding at the end thereof the following:

“Sec. 1113. State taxation of air commerce.”

Approved June 18, 1973.