

91ST CONGRESS  
1ST SESSION

# S. 3229

## IN THE SENATE OF THE UNITED STATES

DECEMBER 10 (legislative day, DECEMBER 9), 1969

Mr. MUSKIE (for himself, Mr. BAYH, Mr. EAGLETON, Mr. MONTOKA, Mr. RANDOLPH, and Mr. SPONG) introduced the following bill; which was read twice and referred to the Committee on Public Works

## A BILL

To amend the Clean Air Act in order to extend the authorizations for such Act, to extend the provisions of title II relating to emission standards to vessels, aircraft, and certain additional vehicles, and for other purposes, and to provide for a study of noise and its effects.

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

### TITLE I

4 SEC. 101. This title may be cited as the "Air Quality  
5 Improvement Act".

6 SEC. 102. Section 104 (a) (2) of the Clean Air Act  
7 is amended by striking out "and (B)" and inserting in lieu  
8 thereof "(B) part of the cost of programs to develop low



1 emission alternatives to the internal combustion engine, in-  
2 cluding steam, electric, and fuel cells; and (C)".

3 SEC. 103. Section 104(c) of the Clean Air Act is  
4 amended by striking out "and for the fiscal year ending  
5 June 30, 1970, \$45,000,000" and inserting in lieu thereof  
6 "for the fiscal year ending June 30, 1970, \$45,000,000,  
7 for the fiscal year ending June 30, 1971, \$125,000,000, for  
8 the fiscal year ending June 30, 1972, \$150,000,000,  
9 and for the fiscal year ending June 30, 1973, \$175,000,000".

10 SEC. 104. Section 108(c) of the Clean Air Act is  
11 amended in the first sentence by inserting before "a plan  
12 for the implementation" a comma and the following: "after  
13 further public hearings at least thirty days following the  
14 publishing of such standards and the proposed plan,".

15 SEC. 105. Title II of the Clean Air Act is amended to  
16 read as follows:

17 "TITLE II—NATIONAL EMISSION STANDARDS  
18 ACT

19 "SHORT TITLE

20 "SEC. 201. This title may be cited as the 'National  
21 Emission Standards Act'.

22 "ESTABLISHMENT OF STANDARDS

23 "SEC. 202. (a) The Secretary shall by regulation, giv-  
24 ing appropriate consideration to technological feasibility  
25 and economic costs, prescribe as soon as practicable stand-

1 ards, applicable to the emission of any kind of substance,  
2 from any class or classes of vessels, aircraft, commercial  
3 vehicles, new noncommercial vehicles, vessel, commercial  
4 vehicle, or aircraft engines, or new non-commercial-vehicle  
5 engines, which in his judgment cause or contribute to, or  
6 are likely to cause or to contribute to, air pollution which  
7 endangers the health or welfare of any persons, and such  
8 standards shall apply to such vessels, aircraft, vehicles, or  
9 engines whether they are designed as complete systems or  
10 incorporate other devices to prevent or control such pollution.  
11 Any such standards shall include requirements with respect  
12 to the manufacturers' warranty of such systems or devices  
13 necessary for the purposes of this Act.

14 "(b) Any regulations initially prescribed under this  
15 section, and amendments thereto, with respect to any class  
16 of vessels, aircraft, commercial vehicles, new noncommercial  
17 vehicles, vessel, commercial vehicle, or aircraft engines, or  
18 new non-commercial-vehicle engines shall become effective  
19 on the effective date specified in the order promulgating  
20 such regulations, which date shall be determined by the Sec-  
21 retary after consideration of the period reasonably necessary  
22 for compliance.

23 "(c) Any such regulations, or amendments thereto,  
24 with respect to aircraft, shall not be made effective until



1 determined by the Secretary of Transportation to not inter-  
2 fere with the safety of such aircraft.

3 "PROHIBITED ACTS

4 "SEC. 203. (a) The following acts and the causing  
5 thereof are prohibited—

6 "(1) in the case of a manufacturer of new vessels,  
7 new aircraft, new vehicles, new vessel engines, new air-  
8 craft engines, or new vehicle engines for distribution in  
9 commerce, the manufacture for sale, the sale, or the  
10 offering for sale, or the introduction or delivery for in-  
11 troduction into commerce, or the importation into the  
12 United States for sale or resale, of any new vessel, new  
13 aircraft vehicle, or new vessel aircraft, or vehicle engine,  
14 manufactured after the effective date of regulations under  
15 this title which are applicable to such vessel, vehicle, or  
16 engine unless it is in conformity with regulations pre-  
17 scribed under section 202 (except as provided in subsec-  
18 tion (b) );

19 "(2) in the case of an owner of a vessel, aircraft,  
20 commercial vehicle, or vessel, commercial vehicle, or  
21 aircraft engine, the use in commerce of such vessel, air-  
22 craft, vehicle, or engine after the effective date of regu-  
23 lations under this title which are applicable to such ves-  
24 sel, aircraft, or engine unless it is in conformity with

1 regulations prescribed under section 202 (except as  
2 provided in subsection (b) );

3 "(3) for any person to fail or refuse to permit  
4 access to or copying of records or to fail to make reports  
5 or provide information, required under section 207;

6 "(4) for any person to remove or render inopera-  
7 tive any device or element of design installed on or in a  
8 vessel, aircraft, or vehicle, or vessel, aircraft, or vehicle  
9 engine in compliance with regulations under this title  
10 prior to its sale and delivery to the ultimate purchaser; or

11 "(5) for any person to remove or render inopera-  
12 tive, other than for purposes of maintenance or repair,  
13 any device or element of design installed on or in a  
14 vessel, aircraft, or vessel or aircraft engine in compliance  
15 with regulations under this title during the term of its  
16 use in commerce.

17 "(b) (1) The Secretary may exempt any new vessel,  
18 new aircraft, new vehicle, or new vessel, aircraft, or vehicle  
19 engine, or class thereof, from subsection (a), upon such  
20 terms and conditions as he may find necessary to protect the  
21 public health or welfare, for the purpose of research, in-  
22 vestigations, studies, demonstrations, or training, or for  
23 reasons of national security.



1 “(2) A new vessel, new aircraft, new vehicle, or new  
 2 vessel, aircraft, or vehicle engine offered for importation by  
 3 a manufacturer in violation of subsection (a) shall be re-  
 4 fused admission into the United States, but the Secretary  
 5 of the Treasury and the Secretary may, by joint regulation,  
 6 provide for deferring final determination as to admission and  
 7 authorizing the delivery of such a vessel, aircraft, vehicle, or  
 8 engine offered for import to the owner or consignee thereof  
 9 upon such terms and conditions (including the furnishing of  
 10 a bond) as may appear to them appropriate to insure that  
 11 any such vessel, aircraft, vehicle, or engine will be brought  
 12 into conformity with the standards, requirements, and limita-  
 13 tions applicable to it under this title. The Secretary of the  
 14 Treasury shall, if a vessel, aircraft, vehicle, or engine is  
 15 finally refused admission under this paragraph, cause dispo-  
 16 sition thereof in accordance with the customs laws unless it  
 17 is exported, under regulations prescribed by such Secretary,  
 18 within ninety days of the date of notice of such refusal or  
 19 such additional time as may be permitted pursuant to such  
 20 regulations, except that disposition in accordance with the  
 21 customs laws may not be made in such manner as may result,  
 22 directly or indirectly, in the sale, to the ultimate consumer,  
 23 of a new vessel, aircraft, vehicle, or engine that fails to com-  
 24 ply with applicable standards of the Secretary of Health,  
 25 Education, and Welfare under this title.

1 “(3) A new vessel, aircraft, vehicle, or engine intended  
 2 solely for export, and so labeled or tagged on the outside of  
 3 the container and on the vessel, aircraft, vehicle, or engine  
 4 itself, shall not be subject to the provisions of subsection (a).

5 (a), which inf. “INJUNCTION PROCEEDINGS

6 “SEC. 204. (a) The district courts of the United States  
 7 shall have jurisdiction to restrain violations of paragraph  
 8 (1), (2), or (3) of section 203 (a).

9 “(b) Actions to restrain such violations shall be brought  
 10 by and in the name of the United States. In any such action,  
 11 subpoenas for witnesses who are required to attend a district  
 12 court in any district may run into any other district.

13 “PENALTIES

14 “SEC. 205. Any person who violates paragraph (1),  
 15 (2), (3), (4), or (5) of section 203 (a) shall be subject  
 16 to a fine of not more than \$1,000. Such violation with re-  
 17 spect to sections 203 (a) (1), 203 (a) (2), 203 (a) (4), and  
 18 203 (a) (5) shall constitute a separate offense with respect  
 19 to each vessel, aircraft, vehicle, or engine.

20 “CERTIFICATION

21 “SEC. 206. (a) Upon application of the manufacturer,  
 22 the Secretary shall test, or require to be tested, in such man-  
 23 ner as he deems appropriate, any new vessel, aircraft, vehicle,  
 24 or engine submitted by such manufacturer to determine  
 25 whether such vessel, aircraft, vehicle, or engine conforms



1 with the regulations prescribed under section 202 of this  
 2 title. If such vessel, aircraft, vehicle, or engine conforms to  
 3 such regulations the Secretary shall issue a certificate of con-  
 4 formity, upon such terms, and for such period not less than  
 5 one year, as he may prescribe.

6 “(b) Any new vessel, aircraft, vehicle, or engine sold  
 7 by such manufacturer which is in all material respects sub-  
 8 stantially the same construction as the test vessel, aircraft,  
 9 vehicle, or engine for which a certificate has been issued  
 10 under subsection (a), shall for the purposes of this Act be  
 11 deemed to be in conformity with the regulations issued under  
 12 section 202 of this title.

13 “(c) Vessels and aircraft and vessel and aircraft engines  
 14 used in commerce and subject to standards promulgated under  
 15 section 202 of this title shall be periodically certified under  
 16 such procedures as the Secretary may by regulation prescribe.

17 “(4) (a) (2) (3) “RECORDS AND REPORTS

18 “SEC. 207. (a) Every manufacturer or owner of a ves-  
 19 sel or aircraft shall establish and maintain such records, make  
 20 such reports, and provide such information as the Secretary  
 21 may reasonably require to enable him to determine whether  
 22 such manufacturer or owner has acted or is acting in compli-  
 23 ance with this title and regulations thereunder and shall,  
 24 upon request of an officer or employee duly designated by the

1 Secretary, permit such officer or employee at reasonable  
 2 times to have access to and copy such records.

3 “(b) All information reported or otherwise obtained by  
 4 the Secretary or his representative pursuant to subsection  
 5 (a), which information contains or relates to a trade secret  
 6 or other matter referred to in section 1905 of title 18 of the  
 7 United States Code, shall be considered confidential for the  
 8 purpose of such section 1905, except that such information  
 9 may be disclosed to other officers or employees concerned  
 10 with carrying out this Act or when relevant in any proceed-  
 11 ing under this Act. Nothing in this section shall authorize the  
 12 withholding of information by the Secretary or any officer or  
 13 employee under his control, from duly authorized committees  
 14 of the Congress.

15 “STATE STANDARDS

16 “SEC. 208. (a) No State or any political subdivision  
 17 thereof shall adopt or attempt to enforce any standard relat-  
 18 ing to the control of emissions from new motor vehicles or  
 19 new motor vehicle engines subject to this title. No State shall  
 20 require certification, inspection, or any other approval relat-  
 21 ing to the control of emissions from any new motor vehicle  
 22 or new motor vehicle engine as condition precedent to the  
 23 initial retail sale, titling (if any), or registration of such  
 24 motor vehicle, motor vehicle engine, or equipment.



1 “(b) The Secretary shall, after notice and opportunity  
 2 for public hearing, waive application of this section to any  
 3 State which has adopted standards (other than crankcase  
 4 emission standards) for the control of emissions from new  
 5 motor vehicles or new motor vehicle engines prior to March  
 6 30, 1966, unless he finds that such State does not require  
 7 standards more stringent than applicable Federal standards to  
 8 meet compelling and extraordinary conditions or that such  
 9 State standards and accompanying enforcement procedures  
 10 are not consistent with section 202 (a) of this title.

11 “(c) Nothing in this title shall preclude or deny to any  
 12 State or political subdivision thereof the right otherwise to  
 13 control, regulate, or restrict the use, operation, or movement  
 14 of registered or licensed motor vehicles.

15 “FEDERAL ASSISTANCE IN DEVELOPING VEHICLE  
 16 INSPECTION PROGRAMS

17 “SEC. 209. The Secretary is authorized to make grants  
 18 to appropriate State air pollution control agencies in an  
 19 amount up to two-thirds of the cost of developing mean-  
 20 ingful uniform motor vehicle emission device inspection and  
 21 emission testing programs except that (1) no grant shall  
 22 be made for any part of any State vehicle inspection program  
 23 which does not directly relate to the cost of the air pollu-  
 24 tion control aspects of such a program; and (2) no such  
 25 grant shall be made unless the Secretary of Transportation

1 has certified to the Secretary that such program is consistent  
 2 with any highway safety program developed pursuant to  
 3 section 402 of title 23 of the United States Code.

4 “REGISTRATION OF FUEL ADDITIVES  
 5 “SEC. 210. (a) The Secretary may by regulation desig-  
 6 nate any fuel or fuels (including fuels used for purposes other  
 7 than motor vehicles), and after such date or dates as may  
 8 be prescribed by him, no manufacturer or processor of any  
 9 such fuel may deliver any such fuel for introduction into  
 10 interstate commerce or to another person who, it can rea-  
 11 sonably be expected, will deliver such fuel for such introduc-  
 12 tion unless the manufacturer of such fuel has provided the  
 13 Secretary with the information required under subsection  
 14 (b) (1) of this section and unless any additive contained  
 15 in such fuel has been registered with the Secretary in ac-  
 16 cordance with subsection (b) (2) of this section.

17 “(b) For the purposes of this section the Secretary  
 18 shall require (1) the manufacturer of such fuel to notify him  
 19 as to the commercial identifying name and manufacturer of  
 20 any additive contained in such fuel; the range of concentra-  
 21 tion of such additive or additives in the fuel; and the pur-  
 22 pose in the use of such additive; and (2) the manufacturer  
 23 of any such additive to notify him as to the chemical composi-  
 24 tion of such additive or additives as indicated by compliance  
 25 with clause (1) above, the recommended range of concen-



1 tration of such additive, if any, the recommended purpose  
 2 in the use of such additive, and to the extent such information  
 3 is available or becomes available, the chemical structure of  
 4 such additive or additives. Upon compliance with clauses (1)  
 5 and (2), including assurances that any change in the above  
 6 information will be provided to the Secretary, the Secretary  
 7 shall register such fuel additive.

8 “(c) All information reported or otherwise obtained by  
 9 the Secretary or his representative pursuant to subsection  
 10 (b), which information contains or relates to a trade secret  
 11 or other matter referred to in section 1905 of title 18 of the  
 12 United States Code, shall be considered confidential for the  
 13 purpose of such section 1905, except that such information  
 14 may be disclosed to other officers or employees of the United  
 15 States concerned with carrying out this Act or when rele-  
 16 vant in any proceeding under this title. Nothing in this sec-  
 17 tion shall authorize the withholding of information by the Sec-  
 18 retary or any officer or employee under his control, from the  
 19 duly authorized committees of the Congress.

20 “(d) Any person who violates subsection (a) shall  
 21 forfeit and pay to the United States a civil penalty of \$1,000  
 22 for each and every day of the continuance of such violation,  
 23 which shall accrue to the United States and be recovered in  
 24 a civil suit in the name of the United States, brought in  
 25 the district where such person has his principal office or

1 in any district in which he does business. The Secretary  
 2 may, upon application therefor, remit or mitigate any for-  
 3 feiture provided for in this subsection and he shall have  
 4 authority to determine the facts upon all such applications.

5 “(e) It shall be the duty of the various United States  
 6 attorneys, under the direction of the Attorney General of the  
 7 United States, to prosecute for the recovery of such forfeitures.

#### 8 “DEVELOPMENT OF LOW-EMISSION VEHICLES

9 “SEC. 211. In order to encourage research and promote  
 10 the development of low-emission vehicles the Secretary is  
 11 authorized to—

12 “(1) prescribe special low-emission standards for  
 13 any class or classes of vehicles or engines and such stand-  
 14 ards shall permit an emission of not more than 50 per  
 15 centum of the amount of pollutants permitted by stand-  
 16 ards established pursuant to section 202 for the same  
 17 class of vehicle or engine;

18 “(2) provide testing procedures to determine if vehi-  
 19 cles and engines meet such standards; and

20 “(3) certify vehicles or engines meeting such stand-  
 21 ards as low-emission vehicles or engines for the purpose  
 22 of this section.

#### 23 “SOLVENTS

24 “SEC. 212. (a) The Secretary by regulation may desig-  
 25 nate solvents, coating materials, organic or inorganic mate-



1 rials, and products containing any such substance as a con-  
 2 stituent thereof, either singly or by classes or in combina-  
 3 tions, which when used in uncontrolled situations, in his  
 4 judgment, may cause or contribute to air pollution adversely  
 5 affecting health or welfare; and after such date or dates as  
 6 may be prescribed by him, no manufacturer of any such  
 7 product or substance may deliver any such product or sub-  
 8 stance into interstate commerce unless such substance has  
 9 been registered with the Secretary in accordance with this  
 10 section.

11 “(b) For the purposes of this subsection the Secretary  
 12 shall require (1) the manufacturer of any product which  
 13 contains any such substance to notify him as to the commer-  
 14 cial identifying name and the manufacturer of the solvent,  
 15 coating material, organic or inorganic material, or other such  
 16 substance contained in the product; the range of concentra-  
 17 tion of such substance; the purpose of such substance; and  
 18 (2) the manufacturer of any such substance to notify him as  
 19 to the chemical structure and composition of such substance  
 20 as indicated by compliance with clause (1) above, the rec-  
 21 ommended range of concentration of such substance, if any,  
 22 and the recommended purpose of such substance. Upon com-  
 23 pliance with clauses (1) and (2), including assurances that  
 24 any change in the above information will be provided to the  
 25 Secretary, the Secretary shall register such product.

1 “(c) The Secretary may develop and publish proposed  
 2 standards, either singly or by classes, for the use of those  
 3 substances and products that are registered in compliance  
 4 with subsections (a) and (b) above. The Secretary may  
 5 from time to time review such proposed standards and make  
 6 changes therein, taking into consideration increased knowl-  
 7 edge regarding technology or effects on health or welfare.

8 “(d) If the Secretary determines that any such sub-  
 9 stance or class thereof constitutes a substantial and immi-  
 10 nent danger to the health or welfare of any person, he may  
 11 promulgate any of the proposed standards for such substance  
 12 which have been developed and published pursuant to sub-  
 13 section (c) and he may prohibit the introduction of such  
 14 substance into interstate commerce unless it complies with  
 15 such regulations as he shall promulgate under this sub-  
 16 section.

17 “(e) If two or more manufacturers, vendors, or dis-  
 18 tributors of any such substance or product notify the Secre-  
 19 tary that two or more State, interstate, or local agencies or  
 20 authorities have established standards, rules, or regulations  
 21 applicable to such substance or product and varying from  
 22 each other in their terms or effects upon the manufacturer,  
 23 vendor, or distributor, the Secretary may promulgate any of  
 24 the proposed standards he has developed, and published for



1 such substance or product under subsection (c) and they  
2 shall become effective after a date established by him.

3 “(f) At any time he shall deem it necessary, the Secre-  
4 tary may add additional substances or products to the desig-  
5 nations made under subsection (a), add additional sub-  
6 stances or products to those to which proposed standards  
7 existing under subsection (c) already apply, or promulgate  
8 under subsection (d) or (e) additional standards which  
9 have been proposed under subsection (c).

10 “(g) All information reported or otherwise obtained by  
11 the Secretary or his representative pursuant to this section,  
12 which information contains or relates to a trade secret or  
13 other matter referred to in section 1905 of title 18 of the  
14 United States Code shall be considered confidential for the  
15 purpose of such section 1905, except that such information  
16 may be disclosed to other officers or employees concerned  
17 with carrying out this Act or when relevant in any pro-  
18 ceeding under this Act. Nothing in this subsection shall au-  
19 thorize the withholding of information by the Secretary or  
20 any officer or employee under his control from the duly au-  
21 thorized committees of Congress.

22 “(h) (1) Any person who violates after the effective  
23 date the provisions of subsection (a), (d), or (e) or regula-  
24 tions promulgated pursuant thereto shall forfeit and pay to  
25 the United States a civil penalty of \$1,000 for each and

1 every day of the continuance of such violation, which shall  
2 accrue to the United States and be recovered in a civil suit in  
3 the name of the United States brought in the district where  
4 such person has his principal office or in any district in which  
5 he does business. The Secretary may, upon application there-  
6 for, remit or mitigate any forfeiture provided for in this  
7 section and he shall have authority to determine the facts  
8 upon all such applications.

9 “(2) It shall be the duty of the various United States  
10 attorneys, under the direction of the Attorney General of the  
11 United States, to prosecute for the recovery of such for-  
12 feitures.

### 13 “DEFINITIONS FOR TITLE II

14 “SEC. 213. As used in this title—

15 “(1) The term ‘manufacturer’ as used in sections 203,  
16 206, and 207 means any person engaged in the manufac-  
17 turing or assembling of new vessels, aircraft, or vehicles, or  
18 new vessel, aircraft, or vehicle engines, or importing such  
19 vessels, aircraft, vehicles, or engines for resale, or who acts  
20 for and is under the control of any such person in connection  
21 with the distribution of such vessels, aircraft, vehicles, or  
22 engines, but shall not include any dealer with respect to new  
23 vehicles or new vehicle engines received by him in commerce.

24 “(2) The term ‘vessel’ means any self-propelled water-



1 craft designed for transporting persons or property on or in  
2 water.

3 “(3) The term ‘new vessel’ means a vessel the equitable  
4 or legal title to which has never been transferred to an ulti-  
5 mate purchaser; and the term ‘new vessel engine’ means an  
6 engine in a new vessel or a vessel engine the equitable or  
7 legal title to which has never been transferred to the ultimate  
8 purchaser.

9 “(4) The term ‘aircraft’ means any self-propelled con-  
10 trivance designed for transporting persons or property in the  
11 air.

12 “(5) The term ‘new aircraft’ means an aircraft the  
13 equitable or legal title to which has never been transferred  
14 to an ultimate purchaser; and the term ‘new aircraft engine’  
15 means an engine in a new aircraft or an aircraft engine the  
16 equitable or legal title to which has never been transferred to  
17 the ultimate purchaser.

18 “(6) The term ‘vehicle’ means any self-propelled  
19 vehicle designed for transporting persons or property on a  
20 street or highway or on rails, or any vehicle for agricultural  
21 use, and the term ‘motor vehicle’ means only such a vehicle  
22 designed for transporting persons or property on a street or  
23 highway.

24 “(7) The term ‘commercial’ means used with profit as  
25 the primary aim.

1 “(8) The term ‘new’ as used with respect to a vehicle,  
2 motor vehicle or vehicle or motor vehicle engine means a  
3 vehicle, motor vehicle, or engine the equitable or legal title to  
4 which has never been transferred to an ultimate purchaser.

5 “(9) The term ‘dealer’ means any person who is  
6 engaged in the sale or the distribution of new vehicles or new  
7 vehicle engines to the ultimate purchaser.

8 “(10) The term ‘ultimate purchaser’ means, with  
9 respect to any new vessel, aircraft, vehicle, or new vessel, air-  
10 craft or vehicle engine, the first person who in good faith  
11 purchases such new vessel, aircraft, vehicle, or engine for pur-  
12 poses other than resale.

13 “(11) The term ‘commerce’ means (A) commerce  
14 between any place in any State and any place outside thereof;  
15 and (B) commerce wholly within the District of Columbia.”

16 SEC. 106. Section 309 of the Clean Air Act is amended  
17 by striking out “and \$134,300,000 for the fiscal year ending  
18 June 30, 1970” and inserting in lieu thereof “\$134,300,000  
19 for the fiscal year ending June 30, 1970, \$150,000,000 for  
20 the fiscal year ending June 30, 1971, \$175,000,000 for the  
21 fiscal year ending June 30, 1972, and \$200,000,000 for the  
22 fiscal year ending June 30, 1973”.

## 23 TITLE II

24 SEC. 201. This title may be cited as the “Noise Pollution  
25 and Abatement Act”.



1 SEC. 202. (a) The Secretary of Health, Education, and  
 2 Welfare shall establish within the Department of Health,  
 3 Education, and Welfare an Office of Noise Abatement and  
 4 Control, and shall carry out through such office a full and  
 5 complete investigation and study of noise and its effect in  
 6 order to determine—

- 7 (1) effects at various levels;
- 8 (2) projected growth of noise levels in urban areas  
 9 through the year 2000;
- 10 (3) the psychological effect on humans;
- 11 (4) effects of sporadic extreme noise (such as jet  
 12 noise near airports) as compared with constant noise;
- 13 (5) effect on wildlife and property (including val-  
 14 ues);
- 15 (6) effect of sonic booms on property (including  
 16 values); and
- 17 (7) such other matters as may be of interest in the  
 18 public welfare.

19 (b) The Secretary shall report the results of such  
 20 investigation and study, together with his recommendations  
 21 for legislation or other action, to the President and the Con-  
 22 gress not later than one year after the date of enactment of  
 23 this Act.

24 (c) In any case where a department or agency of the  
 25 Government is carrying out any activity resulting in noise

1 which amounts to a public nuisance or is otherwise objec-  
 2 tionable, such department or agency shall consult with the  
 3 Secretary of Health, Education, and Welfare to determine  
 4 possible means of abating such noise.

5 (d) There is authorized to be appropriated such amount,  
 6 not to exceed \$30,000,000, as may be necessary for the pur-  
 7 poses of this section.



4 Control, and shall receive due regard to the following: (a) effect on  
 human health; (b) effect on the environment; (c) effect on  
 the economy; (d) effect on the quality of life; (e) effect on  
 the growth of the Nation; (f) effect on the health of the Nation;  
 (g) effect on the safety of the Nation; (h) effect on the  
 (1) effects at various levels; (2) projected growth of noise levels in urban areas  
 through the year 2000; (3) the psychological effect on humans; (4) effects of sporadic extreme noise (such as jet  
 noise near airports) as compared with constant noise;  
 (5) effect on wildlife and property (including val-  
 ues); and (6) effect of noise levels on property (including  
 values); and (7) such other matters as may be of interest in the  
 public welfare.

(b) The Secretary shall report the results of such  
 investigation and study, together with his recommendations  
 for legislation or other action, to the President and the Con-  
 gress not later than one year after the date of enactment of  
 this Act.

(c) In any case where a department or agency of the  
 Government is carrying out any activity resulting in noise

2 3339

# A BILL

to amend the Federal Aviation Act of 1958, to require the Secretary of Transportation to conduct a study of the effects of noise on the health of the Nation, and for other purposes.

Enacted at Washington, D.C., this 1st day of January, 1960.

BY THE PRESIDENT: *[Signature]*

BY THE VICE PRESIDENT: *[Signature]*

BY THE SECRETARY OF TRANSPORTATION: *[Signature]*



91ST CONGRESS  
1ST SESSION

**S. 3229**

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**A BILL**

To amend the Clean Air Act in order to extend the authorizations for such Act, to extend the provisions of title II relating to emission standards to vessels, aircraft, and certain additional vehicles, and for other purposes, and to provide for a study of noise and its effects.

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By Mr. MUSKIE, Mr. BAYH, Mr. EAGLETON, Mr.  
MONTROYA, Mr. RANDOLPH, and Mr. SPONG

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DECEMBER 10 (legislative day, DECEMBER 9), 1969  
Read twice and referred to the Committee on Public  
Works