

Secretary as being in abundance, either nationally or in the school area, or foods donated by the Secretary. Foods available under section 1431 of Title 7 or purchased under sections 612c or 1446a-1 of this title, may be donated by the Secretary to schools, in accordance with the needs as determined by local school authorities, for utilization in their feeding programs under this chapter. (Pub. L. 89-642, § 8, Oct. 11, 1966, 80 Stat. 888.)

#### § 1778. Nonprofit programs.

The food and milk service programs in schools and nonprofit institutions receiving assistance under this chapter shall be conducted on a nonprofit basis. (Pub. L. 89-642, § 9, Oct. 11, 1966, 80 Stat. 888.)

#### § 1779. Rules and regulations.

The Secretary shall prescribe such regulations as he may deem necessary to carry out this chapter. (Pub. L. 89-642, § 10, Oct. 11, 1966, 80 Stat. 889.)

§ 1780. Prohibition against interference with school personnel, curriculum, or instruction; prohibition against inclusion of assistance in determining income or resources for purposes of taxation, welfare, or public assistance programs.

(a) In carrying out the provisions of sections 1772 through 1774 of this title, neither the Secretary nor the State shall impose any requirements with respect to teaching personnel, curriculum, instruction, methods of instruction, and materials of instruction.

(b) The value of assistance to children under this chapter shall not be considered to be income or resources for any purpose under any Federal or State laws including, but not limited to, laws relating to taxation, welfare, and public assistance programs. Expenditures of funds from State and local sources for the maintenance of food programs for children shall not be diminished as a result of funds received under this chapter. (Pub. L. 89-642, § 11, Oct. 11, 1966, 80 Stat. 889.)

#### § 1781. Preschool programs.

The Secretary may extend the benefits of all school feeding programs conducted and supervised by the Department of Agriculture to include preschool programs operated as part of the school system. (Pub. L. 89-642, § 12, Oct. 11, 1966, 80 Stat. 889.)

§ 1782. Centralization in Department of Agriculture of administration of food service programs for children.

Authority for the conduct and supervision of Federal programs to assist schools in providing food service programs for children is assigned to the Department of Agriculture. To the extent practicable, other Federal agencies administering programs under which funds are to be provided to schools for such assistance shall transfer such funds to the Department of Agriculture for distribution through the administrative channels and in accordance with the standards established under this chapter and the National School Lunch Act. (Pub. L. 89-642, § 13, Oct. 11, 1966, 80 Stat. 889.)

#### REFERENCES IN TEXT

The National School Lunch Act, referred to in the text, is classified to chapter 13 of this title.

§ 1783. Authorization of appropriations to the Secretary of Agriculture for administrative expenses.

There is hereby authorized to be appropriated for any fiscal year such sums as may be necessary to the Secretary for his administrative expense under this chapter. (Pub. L. 89-642, § 14, Oct. 11, 1966, 80 Stat. 889.)

#### § 1784. Definitions.

For the purposes of this chapter—

(a) "State" means any of the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa.

(b) "State educational agency" means, as the State legislature may determine, (1) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (2) a board of education controlling the State department of education.

(c) "Nonprofit private school" means any private school exempt from income tax under section 501(c)(3) of Title 26.

(d) "School" means any public or nonprofit private school of high school grade or under, including kindergarten and preschool programs operated by such school and, with respect to Puerto Rico, shall also include nonprofit child-care centers certified as such by the Governor of Puerto Rico.

(e) "Secretary" means the Secretary of Agriculture.

(Pub. L. 89-642, § 15, Oct. 11, 1966, 80 Stat. 889.)

§ 1785. Accounts and records availability for inspection.

States, State educational agencies, schools, and nonprofit institutions participating in programs under this chapter shall keep such accounts and records as may be necessary to enable the Secretary to determine whether there has been compliance with this chapter and the regulations hereunder. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of three years, as the Secretary determines is necessary. (Pub. L. 89-642, § 16, Oct. 11, 1966, 80 Stat. 890.)

### Chapter 15.—DISASTER RELIEF

#### SUBCHAPTER II.—ADJUSTMENT AND COORDINATION OF FEDERAL PROGRAMS [New]

##### Sec.

1855aa. Definitions.

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1855hh. Coordination and review of assistance programs.

1855ii. Study of air operation facilities for disaster assistance; report to Congress.

### SUBCHAPTER I.—FEDERAL ASSISTANCE PROGRAMS

#### § 1855a. Definitions.

As used in this chapter, the following terms shall be construed as follows unless a contrary intent appears from the context:

(e) "Local government" means any county, city, village, town, district, or other political subdivision of any State, or the District of Columbia, and includes any rural community or unincorporated town or village for which an application for assistance is made by a State or local government or governmental agency;

(As amended Nov. 6, 1966, Pub. L. 89-769, § 6(a), 80 Stat. 1317.)

#### AMENDMENTS

1966—Subsec. (e). Pub. L. 89-769 inserted "and includes any rural community or unincorporated town or village for which an application for assistance is made by a State or local government or governmental agency."

#### EFFECTIVE DATE OF 1966 AMENDMENT

Amendment of section by Pub. L. 89-769 applicable with respect to any major disaster occurring after October 3, 1964, see section 14 of Pub. L. 89-769, set out as a note under section 1855aa of this title.

### SUBCHAPTER II.—ADJUSTMENT AND COORDINATION OF FEDERAL PROGRAMS [New]

#### § 1855aa. Definitions.

As used in this subchapter, the term "major disaster" means a major disaster as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended. (Pub. L. 89-769, § 2, Nov. 6, 1966, 80 Stat. 1316.)

#### REFERENCES IN TEXT

"This subchapter" was in the original "this Act", referring to Pub. L. 89-769, which enacted this subchapter, section 758 of Title 20, Education, amended section 1855a of this title, section 1926 of Title 7, Agriculture, section 1715l of Title 12, Banks and Banking, section 636 of Title 15, Commerce and Trade, and section 1830 of Title 38, Veterans' Benefits, and enacted provisions set out as a note under this section.

An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes, approved September 30, 1950, as amended, is classified to subchapter 1 of this chapter.

#### EFFECTIVE DATE

Section 14 of Pub. L. 89-769 provided that: "This Act and the amendments made by this Act [this subchapter and section 758 of Title 20, Education, and amendments to section 1855a of this title, section 1926 of Title 7, Agriculture, section 1715l of Title 12, Banks and Banking, section 636 of Title 15, Commerce and Trade, and section 1830 of Title 38, Veterans' Benefits] shall apply with respect to any major disaster occurring after October 3, 1964."

#### SHORT TITLE

Section 1 of Pub. L. 89-769 provided: "That this Act [enacting this subchapter and section 758 of Title 20, Education, amending section 1855a of this title, section 1926 of Title 7, Agriculture, section 1715l of Title 12, Banks and Banking, section 636 of Title 15, Commerce and Trade, and section 1830 of Title 38, Veterans' Benefits, and enacting provisions set out as a note under this section] may be cited as the 'Disaster Relief Act of 1966'."

#### § 1855bb. Rescheduling and refinancing of federal loans.

(a) Where such action is found to be necessary because of loss, destruction, or damage of the property, or impairment of the economic feasibility of the system, of borrowers under programs administered by the Rural Electrification Administration, resulting from a major disaster, the Secretary of Agriculture is authorized to adjust and to readjust the schedules for payment of principal and interest on loans to such borrowers, and to extend the maturity, dates of such loans to a period not beyond forty years from the dates of such loans. The authority herein conferred is in addition to the loan extension authority provided in section 912 of Title 7.

(b) The Secretary of Housing and Urban Development is authorized to refinance any note or other obligation which is held by him in connection with any loan made by the Department of Housing and Urban Development or its predecessor in interest, or which is included within the revolving fund for liquidating programs established by the Independent Offices Appropriation Act of 1955, where he finds such refinancing necessary because of the loss, destruction, or damage to property or facilities securing such obligations as a result of a major disaster. The interest rate on any note or other obligation refinanced under this subsection may be reduced to a rate not less than (i) a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of such note or other obligation, adjusted to the nearest one-eighth of 1 per centum, less (ii) not to exceed 2 per centum per annum, and the term thereof may be extended for such period as will provide a maturity of not to exceed forty years. The Secretary may authorize a suspension in the payment of principal and interest charges on, and an additional extension in the maturity of, any such loan for a period not to exceed five years if he determines that such action is necessary to avoid severe financial hardship. (Pub. L. 89-769, § 3(a), (b), Nov. 6, 1966, 80 Stat. 1316.)

#### REFERENCES IN TEXT

The revolving fund, referred to in subsec. (b), for liquidating programs established by the Independent Offices Appropriation Act of 1955 is the fund referred to in section 1701g-5 of Title 12, Banks and Banking.

#### EFFECTIVE DATE

Section applicable with respect to any major disaster occurring after October 3, 1964, see section 14 of Pub. L. 89-769, set out as a note under section 1855aa of this title.

#### § 1855cc. Disaster warnings.

The Secretary of Defense is authorized to utilize or to make available to other agencies the facilities of the civil defense communications system established and maintained pursuant to section 2281(c) of Title 50 Appendix, for the purpose of providing needed warning to governmental authorities and the civilian population in areas endangered by imminent natural disasters. (Pub. L. 89-769, § 5, Nov. 6, 1966, 80 Stat. 1317.)

#### EFFECTIVE DATE

Section applicable with respect to any major disaster occurring after October 3, 1964, see section 14 of Pub. L. 89-769, set out as a note under section 1855aa of this title.

§ 1855dd. Priority to applications for public facility and public housing assistance in major disaster areas.

In the processing of applications for assistance—

(1) under title II of the Housing Amendments of 1955, or any other Act providing assistance for the repair, construction, or extension of public facilities;

(2) under the United States Housing Act of 1937 for the provision of low-rent housing;

(3) under section 462 of Title 40 for assistance in public works planning;

(4) under section 3102 of this title providing for grants for public facilities; or

(5) under section 1926 of Title 7

priority and immediate consideration shall be given, during such period as the President shall by proclamation prescribe, to applications from public bodies situated in major disaster areas. (Pub. L. 89-769, § 8, Nov. 6, 1966, 80 Stat. 1320.)

#### REFERENCES IN TEXT

Title II of the Housing Amendments of 1955, referred to in clause (1), is classified to chapter 8B of this title.

The United States Housing Act of 1937, referred to in clause (2), is classified to chapter 8 of this title.

#### EFFECTIVE DATE

Section applicable with respect to any major disaster occurring after October 3, 1964, see section 14 of Pub. L. 89-769, set out as a note under section 1855aa of this title.

§ 1855ee. Reimbursement of costs of reconstruction of public facilities; eligible costs; agencies and parties entitled to reimbursement.

There is hereby authorized to be appropriated such sums as may be necessary to reimburse not more than 50 per centum of eligible costs incurred to repair, restore, or reconstruct any project of a State, county, municipal, or other local government agency for flood control, navigation, irrigation, reclamation, public power, sewage treatment, water treatment, watershed development, or airport construction which was damaged or destroyed as a result of a major disaster, and of the resulting additional eligible costs incurred to complete any such facility which was in the process of construction when damaged or destroyed as a result of such major disaster. Eligible costs are defined to mean those costs determined by the Director of the Office of Emergency Planning as incurred or to be incurred in (1) restoring a public facility to substantially the same condition as existed prior to the damage resulting from the major disaster, and (2) completing construction not performed prior to the major disaster to the extent the increase of such costs over original construction costs is attributable to changed conditions resulting from the major disaster. Reimbursement under this section shall be made to the State, county, municipal, or other local governmental agency which is constructing the public facility or for which it is being constructed, except that if the economic burden of the eligible costs of repair, restoration, reconstruction or completion is incurred by an individual, partnership, corporation, agency, or other entity (other than an organization

engaged in the business of insurance), the State, county, municipality, or other local governmental agency shall reimburse such individual, partnership, corporation, agency, or other entity not to exceed 50 per centum of those costs. Eligible costs shall not include any costs for which reimbursement is received pursuant to insurance contracts or otherwise by the party incurring the economic burden of such costs. (Pub. L. 89-769, § 9, Nov. 6, 1966, 80 Stat. 1320.)

#### EFFECTIVE DATE

Section applicable with respect to any major disaster occurring after October 3, 1964, see section 14 of Pub. L. 89-769, set out as a note under section 1855aa of this title.

§ 1855ff. Duplication of benefits.

The head of each department or agency of the Federal government administering any program providing financial assistance to persons, business concerns, or other entities suffering losses as the result of a major disaster shall administer such program in a manner which will assure that no such person, concern, or other entity will receive such assistance with respect to any part of such loss as to which he has received financial assistance under any other such program. (Pub. L. 89-769, § 10, Nov. 6, 1966, 80 Stat. 1320.)

#### EFFECTIVE DATE

Section applicable with respect to any major disaster occurring after October 3, 1964, see section 14 of Pub. L. 89-769, set out as a note under section 1855aa of this title.

§ 1855gg. Extensions of time to leaseholders, etc., of public lands in disaster areas.

The Secretary of the Interior, upon application therefor, is authorized to grant an extension of time to the holder of any lease, license, permit, contract or entry issued by him in connection with any lands administered by him through the Bureau of Land Management where the Secretary finds that a major disaster has impeded timely fulfillment of requirements and such relief will not prejudice the rights of another party. (Pub. L. 89-769, § 11, Nov. 6, 1966, 80 Stat. 1321.)

#### EFFECTIVE DATE

Section applicable with respect to any major disaster occurring after October 3, 1964, see section 14 of Pub. L. 89-769, set out as a note under section 1855aa of this title.

§ 1855hh. Coordination and review of assistance programs.

The President, acting through the Office of Emergency Planning, shall plan and coordinate all Federal programs providing assistance to persons, business concerns, or other entities suffering losses as the result of a major disaster, and shall conduct periodic reviews (at least annually) of the activities of State and Federal departments or agencies to assure maximum coordination of such programs, and to evaluate progress being made in the development of State and local organizations and plans to cope with major disasters. Nothing in this section shall be deemed to relieve the head of any department or agency of any function, duty, or responsibility vested in him by any provision of law. (Pub. L. 89-769, § 12, Nov. 6, 1966, 80 Stat. 1321.)

## EFFECTIVE DATE

Section applicable with respect to any major disaster occurring after October 3, 1964, see section 14 of Pub. L. 89-769, set out as a note under section 1855aa of this title.

§ 1855ii. Study of air operation facilities for disaster assistance; report to Congress.

The Director of the Office of Emergency Planning is authorized and directed to make, in cooperation with the Secretary of Agriculture, the Secretary of the Interior, and other affected Federal and State agencies, a full and complete study and investigation for the purpose of determining what additional or improved air operation facilities are needed to provide immediate effective action to prevent or minimize loss of publicly or privately owned property and personal injury or death which could result from forest fires or grass fires which are or threaten to become major disasters. The study and investigation shall include but not be limited to—

(1) the need for new or improved airports, heliports, or helispots at specific locations where present transportation facilities are inadequate to provide for immediate and effective action in case of forest fires or grass fires;

(2) the need for additional or improved material, equipment (including aircraft) and personnel at specific locations to provide for immediate and effective action in case of forest fires or grass fires; and

(3) the estimated cost of providing such new or improved air operation facilities (including additional or improved material, equipment, and personnel) at each specific location.

Not later than six months after November 6, 1966, the Director of the Office of Emergency Planning shall report the findings of the study and investigation to the Congress together with his recommendations for an action program, including an equitable plan for the sharing of the cost of the program by the Federal, State and local governments and private persons and organizations. (Pub. L. 89-769, § 13, Nov. 6, 1966, 80 Stat. 1321.)

## EFFECTIVE DATE

Section applicable with respect to any major disaster occurring after October 3, 1964, see section 14 of Pub. L. 89-769, set out as a note under section 1855aa of this title.

## Chapter 15B.—AIR POLLUTION CONTROL

## SUBCHAPTER II.—MOTOR VEHICLE AIR POLLUTION CONTROL [NEW]

Sec.

1857f-1. Standards governing emission of substances from vehicles or engines; establishment by regulation; vehicles and engines to which applicable; effective date of regulations.

1857f-2. Prohibited acts.

(a) Manufacture, sale, or importation of vehicles or engines not in conformity with regulations; failure to make reports or provide information; removal of devices installed in conformity with regulations.

(b) Authority of Secretary to make exemptions; refusal to admit vehicle or engine into United States; exemption of vehicles or engine intended for export.

Sec.

1857f-3. Jurisdiction of district court to restrain violations; actions brought by or in name of United States; territorial scope of subpoenas for witnesses.

1857f-4. Penalties for violations; separate offenses.

1857f-5. Testing of vehicles or engines to determine if in conformity with regulations; issuance of certificate of conformity; similarly constructed vehicles or engines deemed to be in conformity with regulations.

1857f-6. Records, reports and information required; access to and copying records; confidential nature of information obtained.

1857f-7. Definitions.

1857f-8. Repealed.

## SUBCHAPTER I.—AIR POLLUTION PREVENTION AND CONTROL

## § 1857. Congressional findings; purposes of subchapter.

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(b) The purposes of this subchapter are—

(1) to protect the Nation's air resources so as to promote the public health and welfare and the productive capacity of its population;

(2) to initiate and accelerate a national research and development program to achieve the prevention and control of air pollution;

(3) to provide technical and financial assistance to State and local governments in connection with the development and execution of their air pollution prevention and control programs; and

(4) to encourage and assist the development and operation of regional air pollution control programs.

(July 14, 1955, ch. 360, title I, § 101, formerly § 1, as added Dec. 17, 1963, Pub. L. 88-206, § 1, 77 Stat. 392, amended and renumbered Oct. 20, 1965, Pub. L. 89-272, title I, § 101 (2), (3), 79 Stat. 992.)

## AMENDMENTS

1965—Subsec. (b). Pub. L. 89-272 substituted "this title" for "this Act", which for purposes of codification has been changed to "this subchapter."

## SHORT TITLE

Section 307, formerly section 14, of act July 14, 1955, as added by section 1 of Pub. L. 88-206, and renumbered by section 101 (4) of Pub. L. 89-272, provided that: "This Act [this chapter] may be cited as the 'Clean Air Act'."

## EXECUTIVE ORDER NO. 10779

Ex. Ord. No. 10779, Aug. 21, 1958, 23 F.R. 6487, set out as a note under this section, which related to cooperation of Federal agencies with State and local authorities, was superseded by Ex. Ord. No. 11282, May 26, 1966, 31 F.R. 7663, set out as a note under section 1857f of this title.

## § 1857a. Cooperative activities.

Section 2 of act July 14, 1955, renumbered section 102 of title I of act July 14, 1955, by Pub. L. 89-272, title I, § 101 (2), Oct. 20, 1965, 79 Stat. 992.

## § 1857b. Research and development program; powers and duties of Secretary.

(a) Research, investigations, experiments, training, demonstrations, surveys and studies; technical services and financial assistance; specific problems of air pollution; sulfur extraction research program.

The Secretary shall establish a national research and development program for the prevention and control of air pollution and as part of such program shall—