

State	Interstate System	Other Federal-aid primary highways
Alaska.....	0	8
Hawaii.....	1	96
Puerto Rico.....	0	20
District of Columbia.....	1	29
Total.....	2	153
Grand total.....	155	

It seems to me that the Highway Beautification Act of 1965 is not accomplishing much, at least in these States. Would you care to comment on this?

Answer: It is true that compliance with the Highway Beautification Act of 1965 will result in the removal of a relatively small number of signs in the States mentioned. This is because the States already had restrictive legislation and few if any signs were located in the areas prohibited by the Federal Act.

13. It appears that of the 17 agreements entered into so far under the 1965 Act only 9 offer definite possibilities for results under existing State laws. As I mentioned earlier, 25 States entered into agreements under the bonus provision of the 1958 Act. This indicates to me that the bonus approach is a much more workable, acceptable way of handling this than the penalty or "big stick" approach. Would you care to comment?

Answer: The 25 agreements entered into under the bonus provision of the 1958 Act were signed over a period of about 7 years when that Act was in effect. The 18 agreements signed to date under the 1965 Act have been negotiated and completed during a period of less than one year. The Department anticipates moreover that a number of additional agreements will be executed within the next few months. We feel strongly that the present Act is superior to the bonus approach.

14. When the Federal-aid highway laws were codified as title 23, United States Code, in 1958, it was intended to incorporate in title 23, only the substantive provisions of the law and not temporary provisions such as authorizations of appropriations. In the event the Congress should authorize appropriation for highway beautification, would it not be preferable to enact that as a separate provision and not as part of title 23, United States Code?

Answer: We think it would make no substantial difference whether the authorization for highway beautification is contained in a separate provision or included in title 23, United States Code.

Section 9—Advance acquisition of rights-of-way

1. Subsection (b) of section 9 of H.R. 17134 would authorize appropriation from the Highway Trust Fund for such money "not to exceed \$100 million as may be necessary for the initial establishment of a fund and for its replenishment on an annual basis", to finance an advance right-of-way acquisition program.

The language used in this subsection is not clear. Is it your intention to limit total appropriations from the Highway Trust Fund to \$100 million, or is this a limitation on the amount which is authorized annually?

Answer: It is the intent of this language to authorize the appropriation from the Highway Trust Fund not to exceed \$100 million to establish the fund and not to exceed \$100 million annually for its replenishment. This amendment follows the concept of 23 U.S.C. 125 on emergency relief (repair and reconstruction of highways) and 23 U.S.C. 320(d) on bridges over Federal dams.

2. The bill provides that "The provisions of subsections (d), (f), and (g) of section 209 of the Highway Revenue Act of 1956" shall be applicable to the advance right-of-way acquisition program. Section 209 of the Highway Revenue Act of 1956 has to do with the creation and other aspects of the Highway Trust Fund, and it would seem to me that section 209 would apply without expressly so providing.

(a) Will you please comment on this?

Answer: The provisions of section 209 of the Highway Revenue Act would apply to the advance right-of-way acquisition program. It may be unnecessary to expressly so provide, as you suggest.

(b) The bill refers to subsections (d), (f), and (g) of section 209, but does not refer to the other subsections. I have specifically in mind subsection (e) of