

104TH CONGRESS  
2D SESSION

# H. R. 3230

To authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1997, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 1996

Mr. SPENCE (for himself and Mr. DELLUMS) (both by request) introduced the following bill; which was referred to the Committee on National Security

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## A BILL

To authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1997, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Defense Au-  
5 thorization Act for Fiscal Year 1997”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Table of contents.

## TITLE I—PROCUREMENT

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- Sec. 101. Army.
- Sec. 102. Navy and Marine Corps.
- Sec. 103. Air Force.
- Sec. 104. Defense-wide Activities.
- Sec. 105. Defense Inspector General.
- Sec. 106. Defense health program.
- Sec. 107. Chemical demilitarization program.

### Subtitle B—Other Matters

- Sec. 110. Clarification of waiver provision for F-15 aircraft program.
- Sec. 111. Increase in the definitional amounts for major systems for Department of Defense procurement.
- Sec. 112. Authorizes revisions to improve the acquisition reporting process for major defense acquisition programs.

## TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

- Sec. 201. Authorization of Appropriations.
- Sec. 202. Live-fire survivability testing of V-22 aircraft.
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- Sec. 301. Operation and maintenance funding.
- Sec. 302. Working capital funds.

### Subtitle B—Other Matters

- Sec. 310. Remedies for contractor employee whistleblowers.
- Sec. 311. Repeal of requirement for physical examination on calling militia into Federal service.
- Sec. 312. Defense Business Operations Fund amendment.

## TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

### Subtitle A—Active Forces

- Sec. 401. End strengths for active forces.
- Sec. 402. Excluding certain Reserve component members on active duty for 181 days or more from active component end strengths.

### Subtitle B—Reserve Forces

- Sec. 411. End strengths for Selected Reserve.
- Sec. 412. End strengths for Reserves on active duty in support of the Reserves.

## TITLE V—MILITARY PERSONNEL POLICY

### Subtitle A—Matters Relating to Reserve Components

- Sec. 501. Discharge or retirement for years of service or after selection for early removal.
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- Sec. 507. Use of active Guard and Reserve personnel in composite active and reserve component activities and in activities and functions assigned to a reserve component organization.

#### Subtitle B—Officer Education Programs

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- Sec. 511. Expansion of Senior Reserve Officer Training Corps advanced training program to include graduate students.

#### Subtitle C—Other Matters

- Sec. 515. Clarifying definition of active status.
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- Sec. 518. Authority for the temporary promotions of certain Navy lieutenants.
- Sec. 519. Extension in the delayed entry program of up to 180 days for meritorious cases.

### TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

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- Sec. 601. Military pay raise for fiscal year 1997.
- Sec. 602. Restriction on entitlement to basic allowance for quarters for reserve component members.
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- Sec. 604. Adjustments in cadet and midshipmen pay.

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- Sec. 605. Extension of authority relating to payment of other bonuses and special pays.
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### TITLE VIII—ACQUISITION AND RELATED MATTERS

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- Sec. 1011. Employment and compensation provisions for faculty members and leadership of the Asia-Pacific Center for Security Studies.
- Sec. 1012. Excepted appointment of judicial non-attorney staff in the United States Court of Appeals for the Armed Forces.
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#### Subtitle C—Miscellaneous Reporting Requirements

- Sec. 1020. National Guard and Reserve component equipment: annual report to Congress.
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- Sec. 1022. Repeal of report on contractor reimbursement costs.
- Sec. 1023. Repeal of notice requirements for substantially or seriously affected parties in downsizing efforts.

#### Subtitle D—Matters Relating to Other Nations

- Sec. 1025. Authorization for execution of Department of Defense demining program.

#### Subtitle E—Other Matters

- Sec. 1030. National defense technology and industrial base, defense reinvestment, and defense conversion.
- Sec. 1031. Restoration of authority for certain intragovernment transfers in the base closure and realignment process.
- Sec. 1032. Chemical demilitarization citizens advisory commissions.
- Sec. 1033. Transfer of excess personal property to support law enforcement agencies.
- Sec. 1034. Control of transportation systems in time of war.
- Sec. 1035. Redesignation of Office of Naval Records and History Gift Fund to Naval Historical Center Fund.
- Sec. 1036. Transportation by commissaries and exchanges to overseas locations.
- Sec. 1037. Cooperative agreements for the management of cultural resources.
- Sec. 1038. Medal of Honor for African American soldiers who served in World War II.
- Sec. 1039. Presidential inauguration assistance.

### TITLE XXI—ARMY

- Sec. 2101. Authorized Army construction and land acquisition projects.
- Sec. 2102. Family housing.
- Sec. 2103. Improvements to military family housing units.
- Sec. 2104. Authorization of appropriations, Army.

### TITLE XXII—NAVY

- Sec. 2201. Authorized Navy construction and land acquisition projects.

- Sec. 2202. Family housing.
- Sec. 2203. Improvements to military family housing units.
- Sec. 2204. Authorization of appropriations, Navy.

#### TITLE XXIII—AIR FORCE

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
- Sec. 2303. Improvements to military family housing units.
- Sec. 2304. Authorization of appropriations, Air Force.

#### TITLE XXIV—DEFENSE AGENCIES

- Sec. 2401. Authorized Defense agencies construction and land acquisition projects.
- Sec. 2402. Military housing planning and design.
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- Sec. 2406. Authorization of appropriations, Defense agencies.

#### TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

- Sec. 2501. Authorized NATO construction and land acquisition projects.
- Sec. 2502. Authorization of appropriations, NATO.

#### TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

- Sec. 2601. Authorized Guard and Reserve construction and land acquisition projects.
- Sec. 2602. Authorization of construction projects to be funded with previous-year appropriations.

#### TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

- Sec. 2701. Expiration of authorizations and amounts required to be specified by law.
- Sec. 2702. Extension of authorizations of certain fiscal year 1994 projects.
- Sec. 2703. Extension of authorizations of certain fiscal year 1993 projects.
- Sec. 2704. Extension of authorizations of certain fiscal year 1992 projects.
- Sec. 2705. Effective date.

## 1           **TITLE I—PROCUREMENT** 2           **Subtitle A—Authorization of** 3           **Appropriations**

### 4   **SEC. 101. ARMY.**

5       Funds are hereby authorized to be appropriated for  
6   fiscal year 1997 for procurement for the Army as follows:

1 (1) For aircraft, \$970,815,000.

2 (2) For missiles, \$766,329,000.

3 (3) For weapons and tracked combat vehicles,  
4 \$1,102,014,000.

5 (4) For ammunition, \$853,428,000.

6 (5) For other procurement, \$2,627,440,000.

7 **SEC. 102. NAVY AND MARINE CORPS.**

8 Funds are hereby authorized to be appropriated for  
9 fiscal year 1997 for procurement for the Navy as follows:

10 (1) For aircraft, \$5,881,952,000.

11 (2) For weapons, including missiles and tor-  
12 pedoes, \$1,400,363,000.

13 (3) For shipbuilding and conversion,  
14 \$4,911,930,000.

15 (4) For other procurement, \$2,714,195,000.

16 Funds are hereby authorized to be appropriated for  
17 fiscal year 1997 for procurement for the Marine Corps in  
18 the amount of \$555,507,000.

19 **SEC. 103. AIR FORCE.**

20 Funds are hereby authorized to be appropriated for  
21 fiscal year 1997 for procurement for the Air Force as fol-  
22 lows:

23 (1) For aircraft, \$5,779,228,000.

24 (2) For missiles, \$2,733,877,000.

25 (3) For other procurement, \$5,998,819,000.

1 **SEC. 104. DEFENSE-WIDE ACTIVITIES.**

2 Funds are hereby authorized to be appropriated for  
3 fiscal year 1997 for defense-wide procurement in the  
4 amount of \$1,814,212,000.

5 **SEC. 105. DEFENSE INSPECTOR GENERAL.**

6 Funds are hereby authorized to be appropriated for  
7 fiscal year 1997 for the procurement for the Defense In-  
8 spector General in the amount of \$2,000,000.

9 **SEC. 106. DEFENSE HEALTH PROGRAM.**

10 Funds are hereby authorized to be appropriated for  
11 fiscal year 1997 for the Department of Defense for pro-  
12 curement for carrying out health care programs, projects,  
13 and activities of the Department of Defense in the total  
14 amount of \$269,470,000.

15 **SEC. 107. CHEMICAL DEMILITARIZATION PROGRAM.**

16 There is hereby authorized to be appropriated for fis-  
17 cal year 1997 in the amount of \$799,847,000 for—

18 (1) the destruction of lethal chemical weapons  
19 in accordance with section 1412 of the Department  
20 of Defense Authorization Act, 1986 (50 U.S.C.  
21 1521), and

22 (2) the destruction of chemical warfare material  
23 of the United States that is not covered by section  
24 1412 of such Act.



## **Subtitle B—Other Matters**

### **SEC. 110. CLARIFICATION OF WAIVER PROVISION FOR F-15 AIRCRAFT PROGRAM.**

The prohibition in section 134(a)(2) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189; 103 Stat. 1383) does not apply to the obligation of funds appropriated by the Department of Defense Appropriations Act, 1996 (Public Law 104–61; 109 Stat. 636) under the heading “Aircraft Procurement, Air Force” and authorized by the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat. 186) for F–15E aircraft or to any appropriation or authorization for the Department of Defense for fiscal year 1997.

### **SEC. 111. INCREASE IN THE DEFINITIONAL AMOUNTS FOR MAJOR SYSTEMS FOR DEPARTMENT OF DE- FENSE PROCUREMENT.**

Section 2302(5)(A) of title 10, United States Code, is amended—

(1) by striking out “\$75,000,000 (based on fiscal year 1980 constant dollars)” and inserting in lieu thereof “\$115,000,000 (based on fiscal year 1990 dollars)”;

(2) by striking out “\$300,000,000 (based on fiscal year 1980 constant dollars)” and inserting in

1        lieu thereof “\$540,000,000 (based on fiscal year  
2        1990 constant dollars)”; and

3            (3) by adding to the end of section (5)(A),  
4        “The Secretary of Defense may adjust the amounts  
5        (and the base fiscal year) on the basis of Depart-  
6        ment of Defense escalation rates; however, that ad-  
7        justment shall not be effective until after the Sec-  
8        retary transmits a written notification of the adjust-  
9        ment to the Committee on Armed Services of the  
10       Senate and Committee on National Security of the  
11       House of Representatives.”.

12 **SEC. 112. AUTHORIZES REVISIONS TO IMPROVE THE AC-**  
13 **QUISITION REPORTING PROCESS FOR MAJOR**  
14 **DEFENSE ACQUISITION PROGRAMS.**

15       Section 2432 of title 10, United States Code, is  
16 amended—

17            (1) in subsection (c)(1)(B) by striking “pro-  
18        gram acquisition unit cost” and inserting in lieu  
19        thereof “procurement unit cost”;

20            (2) in subsection (e) by striking subparagraph  
21        (8) and redesignating subparagraph (9) as subpara-  
22        graph (8), accordingly; and

23            (3) in subsection (h) by striking subparagraph  
24        (2)(D) and by redesignating subparagraphs (E) and  
25        (F) as subparagraphs (D) and (E), respectively.

1 **TITLE II—RESEARCH, DEVELOP-**  
2 **MENT, TEST, AND EVALUA-**  
3 **TION**

4 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

5 Funds are hereby authorized to be appropriated for  
6 fiscal year 1997 for the use of the Armed Forces for re-  
7 search, development, test, and evaluation, as follows:

8 (1) For the Army, \$4,320,640,000.

9 (2) For the Navy, \$7,334,734,000.

10 (3) For the Air Force, \$14,417,456,000.

11 (4) For Defense-wide research, development,  
12 test, and evaluation, \$8,672,842,000, of which—

13 (A) \$252,038,000 is authorized for the ac-  
14 tivities of the Director, Test and Evaluation;  
15 and

16 (B) \$21,968,000 is authorized for the Di-  
17 rector of Operational Test and Evaluation.

18 **SEC. 202. LIVE-FIRE SURVIVABILITY TESTING OF V-22 AIR-**  
19 **CRAFT.**

20 (a) **AUTHORITY FOR RETROACTIVE WAIVER.**—The  
21 Secretary of Defense may exercise the waiver authority in  
22 section 2366(c) of title 10, United States Code, with re-  
23 spect to the application of survivability testing to the V-  
24 22 aircraft, notwithstanding that the program has entered  
25 engineering and manufacturing development.

1 (b) ALTERNATIVE SURVIVABILITY TEST REQUIRE-  
2 MENTS.—The Secretary of Defense shall make available  
3 a sufficient number of components critical to the surviv-  
4 ability of the V-22 aircraft in realistic threat environ-  
5 ments to conduct the alternative live-fire test program.

6 (c) FUNDING.—The funds required to carry out any  
7 alternative live-fire testing program for the V-22 aircraft  
8 system shall be made available from amounts appropriated  
9 for the V-22 program.

10 **SEC. 203. LIVE-FIRE SURVIVABILITY TESTING OF F-22**  
11 **AIRCRAFT.**

12 (a) AUTHORITY FOR RETROACTIVE WAIVER.—The  
13 Secretary of Defense may exercise the waiver authority in  
14 section 2366(c) of title 10, United States Code, with re-  
15 spect to the application of the survivability tests of that  
16 section to the F-22 aircraft, notwithstanding that such  
17 program has entered full-scale engineering development.

18 (b) REPORTING REQUIREMENT.—If the Secretary of  
19 Defense submits a certification under section 2366(c) of  
20 such title 10 that live-fire testing of the F-22 system  
21 under such section would be unreasonably expensive and  
22 impractical, the Secretary of Defense shall require that  
23 sufficiently large and realistic components and subsystems  
24 that could affect the survivability of the F-22 system be  
25 made available for any alternative live-fire test program.

1 (c) FUNDING.—The funds required to carry out any  
2 alternative live-fire testing program for the F-22 aircraft  
3 system shall be made available from amounts appropriated  
4 for the F-22 program.

5 **SEC. 204. RESEARCH ACTIVITIES OF THE DEFENSE AD-**  
6 **VANCED RESEARCH PROJECTS AGENCY.**

7 Notwithstanding section 1701 of the National De-  
8 fense Authorization Act for Fiscal Year 1994 (Public Law  
9 103-160; 107 Stat. 1853), the Director of the Defense  
10 Advanced Research Projects Agency, for the Secretary of  
11 Defense, may conduct basic and applied research and ad-  
12 vanced technology development, on chemical and biological  
13 warfare defense technologies and systems, independently  
14 of any other component of the Department of Defense.  
15 In conducting its mission of basic and applied research  
16 and advanced technology development, the Advanced Re-  
17 search Projects Agency should avoid unnecessary duplica-  
18 tion of efforts of other components of the Department.  
19 With respect to chemical and biological warfare defense  
20 activities and where otherwise appropriate, coordinate its  
21 activities with other components of the Department.

**TITLE III—OPERATION AND  
MAINTENANCE  
Subtitle A—Authorization of  
Appropriations**

**SEC. 301. OPERATION AND MAINTENANCE FUNDING.**

Funds are hereby authorized to be appropriated for fiscal year 1997 for the use of the Armed Forces of the United States and other activities and agencies of the Department of Defense, for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

- (1) For the Army, \$18,114,479,000.
- (2) For the Navy, \$20,196,197,000.
- (3) For the Marine Corps, \$2,203,777,000.
- (4) For the Air Force, \$17,913,455,000.
- (5) For the Defense Agencies,  
\$10,156,468,000.
- (6) For the Army Reserve, \$1,084,436,000.
- (7) For the Naval Reserve, \$843,927,000.
- (8) For the Marine Corps Reserve,  
\$99,667,000.
- (9) For the Air Force Reserve, \$1,488,553,000.
- (10) For the Army National Guard,  
\$2,208,477,000.
- (11) For the Air National Guard,  
\$2,654,473,000.

1           (12) For the Defense Inspector General,  
2     \$136,501,000.

3           (13) For Drug Interdiction and Counter-drug  
4     Activities, Defense, \$642,724,000.

5           (14) For the United States Court of Appeals  
6     for the Armed Forces, \$6,797,000.

7           (15) For Environmental Restoration, Army,  
8     \$356,916,000.

9           (16) For Environmental Restoration, Navy,  
10    \$302,900,000.

11          (17) For Environmental Restoration, Air Force,  
12    \$414,700,000.

13          (18) For Environmental Restoration, Defense-  
14    wide, \$258,500,000.

15          (19) For Medical Programs, Defense,  
16    \$9,358,288,000.

17          (20) For Overseas Humanitarian, Disaster, and  
18    Civic Aid, \$80,544,000.

19          (21) For Former Soviet Union Threat Reduc-  
20    tion, \$327,900,000.

21          (22) For Payments to Kaho'olawe Island,  
22    \$10,000,000.

23 **SEC. 302. WORKING CAPITAL FUNDS.**

24       Funds are hereby authorized to be appropriated for  
25   fiscal year 1997 for the use of the Armed Forces of the

1 United States and other activities and agencies of the De-  
2 partment of Defense for providing capital for working cap-  
3 ital and revolving funds in amounts as follows:

4 (1) For the Defense Business Operations Fund,  
5 \$947,900,000.

6 (2) For the National Defense Sealift Fund,  
7 \$963,002,000.

## 8 **Subtitle B—Other Matters**

### 9 **SEC. 310. REMEDIES FOR CONTRACTOR EMPLOYEE WHIS-** 10 **TLEBLOWERS.**

11 Section 2409(c) of title 10, United States Code, is  
12 amended—

13 (1) in subparagraph (B) by striking the period  
14 at the end, inserting in lieu thereof “; or in lieu of  
15 reinstatement, order the contractor to pay the per-  
16 son an amount equal to the compensation (including  
17 back pay) that would apply to the person in that po-  
18 sition if the reprisal had not been taken and an  
19 award for damages.”; and

20 (2) by adding at the end of paragraph (c)(1)  
21 the following new subparagraph (D):

22 “(D) Order the contractor to reimburse  
23 the agency that conducted the reprisal inves-  
24 tigation an amount equal to the cost of the in-  
25 vestigation.”.



1 **SEC. 311. REPEAL OF REQUIREMENT FOR PHYSICAL EXAM-**  
2 **INATION ON CALLING MILITIA INTO FEDERAL**  
3 **SERVICE.**

4 (a) REPEAL OF REQUIREMENT.—Section 12408 of  
5 title 10, United States Code, is repealed.

6 (b) CLERICAL AGREEMENT.—The table of sections at  
7 the beginning of chapter 1209 is amended by striking out  
8 the item relating to section 12408.

9 **SEC. 312. DEFENSE BUSINESS OPERATIONS FUND AMEND-**  
10 **MENT.**

11 Section 2216(i)(1) of title 10, United States Code,  
12 is amended by striking “\$50,000” and inserting in lieu  
13 thereof “\$100,000”.

14 **TITLE IV—MILITARY**  
15 **PERSONNEL AUTHORIZATIONS**  
16 **Subtitle A—Active Forces**

17 **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

18 The Armed Forces are authorized strengths for active  
19 duty personnel as of September 30, 1997, as follows:

- 20 (1) The Army, 495,000.  
21 (2) The Navy, 406,900.  
22 (3) The Marine Corps, 174,000.  
23 (4) The Air Force, 381,100.

1 **SEC. 402. EXCLUDING CERTAIN RESERVE COMPONENT**  
 2 **MEMBERS ON ACTIVE DUTY FOR 181 DAYS OR**  
 3 **MORE FROM ACTIVE COMPONENT END**  
 4 **STRENGTHS.**

5 Section 115(d) of title 10, United States Code, is  
 6 amended by adding at the end a new paragraph (8) as  
 7 follows:

8 “(8) Members of reserve components on active  
 9 duty to perform special work in support of peacetime  
 10 requirements of the active components and combat-  
 11 ant commands for 181 days or more. The total num-  
 12 ber of personnel included in this category shall not  
 13 exceed two-tenths of one percent of the end  
 14 strengths authorized pursuant to subsection (a)(1).”.

15 **Subtitle B—Reserve Forces**

16 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

17 (a) IN GENERAL.—The Armed Forces are authorized  
 18 strengths for Selected Reserve personnel of the reserve  
 19 components as of September 30, 1997, as follows:

- 20 (1) The Army Reserve, 214,925.
- 21 (2) The Naval Reserve, 95,941.
- 22 (3) The Marine Corps Reserve, 42,000.
- 23 (4) The Air Force Reserve, 73,281.
- 24 (5) The Army National Guard, 366,758.
- 25 (6) The Air National Guard, 108,018.
- 26 (7) The Coast Guard Reserve, 8,000.

1 (b) WAIVER AUTHORITY.—The Secretary of Defense  
2 may vary the end strength authorized by subsection (a)  
3 by not more than 2 percent.

4 (c) ADJUSTMENTS.—The end strengths prescribed by  
5 subsection (a) for the Selected Reserve of any reserve com-  
6 ponent shall be reduced proportionately by—

7 (1) the total authorized strength of units orga-  
8 nized to serve as units of the Selected Reserve of  
9 such component which are on active duty (other  
10 than for training) at the end of the fiscal year, and

11 (2) the total number of individual members not  
12 in units organized to serve as units of the Selected  
13 Reserve of such component who are on active duty  
14 (other than for training or for unsatisfactory partici-  
15 pation in training) without their consent at the end  
16 of the fiscal year.

17 Whenever such units or such individual members are re-  
18 leased from active duty during any fiscal year, the end  
19 strength prescribed for such fiscal year for the Selected  
20 Reserve of such reserve component shall be increased pro-  
21 portionately by the total authorized strengths of such  
22 units and by the total number of such individual members.

1 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**  
 2 **DUTY IN SUPPORT OF THE RESERVES.**

3 Within the end strengths prescribed in section  
 4 402(b), the reserve components of the armed forces are  
 5 authorized, as of September 30, 1997, the following num-  
 6 ber of Reserves to be serving on full-time active duty or,  
 7 in the case of members of the National Guard, full-time  
 8 National Guard duty for the purpose of organizing, ad-  
 9 ministering, recruiting, instructing, or training the reserve  
 10 components:

- 11 (1) The Army Reserve, 11,475.
- 12 (2) The Naval Reserve, 16,506.
- 13 (3) The Marine Corps Reserve, 2,559.
- 14 (4) The Air Force Reserve, 625.
- 15 (5) The Army National Guard, 22,798.
- 16 (6) The Air National Guard, 10,129.

17 **TITLE V—MILITARY PERSONNEL**  
 18 **POLICY**

19 **Subtitle A—Matters Relating to**  
 20 **Reserve Components**

21 **SEC. 501. DISCHARGE OR RETIREMENT FOR YEARS OF**  
 22 **SERVICE OR AFTER SELECTION FOR EARLY**  
 23 **REMOVAL.**

24 (a) IN GENERAL.—The text of section 14514 of title  
 25 10, United States Code, is amended to read as follows:

1       “(a) Each reserve officer of the Army, Navy, Air  
2 Force, or Marine Corps who is in an active status and  
3 who is required to be removed from an active status or  
4 from a reserve active-status list, as the case may be, under  
5 section 14507, 14508, 14704, or 14705 of this title (un-  
6 less the officer is sooner separated, the officer’s separation  
7 is deferred, or the officer is continued in an active status  
8 under another provision of law), in accordance with those  
9 sections, shall—

10           “(1) be transferred to the Retired Reserve, if  
11 the officer is qualified and applies for such transfer;  
12 or

13           “(2) if the officer is not qualified or does not  
14 apply for such transfer, be discharged from the offi-  
15 cer’s reserve appointment.

16       “(b) Each reserve officer of the Army, Navy, Air  
17 Force, or Marine Corps who is in an inactive status and  
18 who is required to be removed from an inactive status—

19           “(1) shall be transferred to the Retired Re-  
20 serve, if the officer is qualified and applies for such  
21 transfer; or

22           “(2) may, if the officer is not qualified or does  
23 not apply for such transfer, be discharged from the  
24 officer’s reserve appointment.”.

1 (b) CONFORMING AMENDMENT.—Section  
2 12683(b)(1) of such title is amended by inserting  
3 “14514,” and “12684,”.

4 **SEC. 502. APPOINTMENT ABOVE O-2 IN THE U.S. NAVAL**  
5 **RESERVE.**

6 Section 12205 of title 10, United States Code, is  
7 amended by amending subsection (b)(3) to read as follows:

8 “(3) The appointment in the Naval Reserve of  
9 a person appointed for service under either the  
10 Naval Aviation Cadet or Seaman to Admiral Pro-  
11 gram.”.

12 **SEC. 503. TEST PROGRAM ON UNLIMITED USE OF COM-**  
13 **MISSARY STORES BY ELIGIBLE RESERVISTS.**

14 (a) The Secretary of Defense shall carry out in one  
15 or more areas of the United States a test program under  
16 which those Reserve members eligible for commissary use  
17 under sections 1063 and 1064 of title 10, United States  
18 Code, will be permitted to use commissary stores of the  
19 Department of Defense on the same basis as members on  
20 active duty. The test program will begin on January 1,  
21 1997, and will be conducted for a period of one year.

22 (b) The Secretary of Defense shall report the results  
23 of the test program to the Congress no later than March  
24 31, 1998, together with such comments and recommenda-  
25 tions as he determines appropriate.

1 **SEC. 504. ACTIVE DUTY RETIREMENT SANCTUARY FOR RE-**  
2 **SERVISTS**

3 Section 12686 of title 10, United States Code, is  
4 amended—

5 (1) by designating the existing matter as para-  
6 graph (1); and

7 (2) by adding at the end the following new  
8 paragraph:

9 “(2) The regulations prescribed under para-  
10 graph (1) may except from the prohibition on invol-  
11 untary release in that paragraph members who serve  
12 on active duty (other than for training) under sec-  
13 tion 12301 of this title pursuant to orders specifying  
14 a period of less than 180 days provided that the  
15 member is informed of and consents to such excep-  
16 tion prior to entry on active duty.”.

17 **SEC. 505. CHANGE IN TIME FOR AWARD OF DEGREE TO BE**  
18 **CONSIDERED TO MEET THE SELECTED RE-**  
19 **SERVE OFFICER EDUCATION REQUIREMENT.**

20 Section 12205(c)(2)(C) of title 10, United States  
21 Code, is amended by striking “three” and inserting in lieu  
22 thereof “eight”.

1 **SEC. 506. CLARIFICATION OF LIMITATION ON FURNISHING**  
 2 **CLOTHING OR ALLOWANCES FOR ENLISTED**  
 3 **NATIONAL GUARD TECHNICIANS.**

4 Subsection 418(c) of title 37, United States Code, is  
 5 amended by striking at the end of the paragraph “for  
 6 which a uniform allowance is paid under section 415 or  
 7 416 of this title”, and inserting in lieu thereof “for which  
 8 clothing is furnished or a uniform allowance is paid under  
 9 this section”.

10 **SEC. 507. USE OF ACTIVE GUARD AND RESERVE PERSON-**  
 11 **NEL IN COMPOSITE ACTIVE AND RESERVE**  
 12 **COMPONENT ACTIVITIES AND IN ACTIVITIES**  
 13 **AND FUNCTIONS ASSIGNED TO A RESERVE**  
 14 **COMPONENT ORGANIZATION**

15 Section 12310 of title 10, United States Code, is  
 16 amended by adding at the end the following two new sub-  
 17 sections:

18 “(c) Organizing, administering, recruiting, instruct-  
 19 ing, or training the reserve components as used in this  
 20 title and in the authorizations of end strengths required  
 21 under section 115 of this title, includes—

22 “(1) the conduct of activities described in sec-  
 23 tions 3013(b), 5013(b), and 8013(b) of this title in  
 24 support of any part of a military department when  
 25 such activities have been assigned by the Secretary  
 26 concerned, with the consent of the Chief of the Na-



1 tional Guard Bureau or the chief of such reserve  
 2 component, to a reserve component organization for  
 3 execution; and

4 “(2) peacetime standby air defense and ballistic  
 5 missile defense operations within the territory of the  
 6 United States.

7 “(d) A reserve on duty under subsection (a) may  
 8 serve in, and supervise and command any other person  
 9 serving in a composite organization that conducts activi-  
 10 ties described in subsection (c) jointly in support of the  
 11 reserve components and the active components of one or  
 12 more armed services.”.

## 13 **Subtitle B—Officer Education** 14 **Programs**

### 15 **SEC. 510. EXTENSION OF AGE REQUIREMENTS FOR AP- 16 POINTMENT AS A CADET OR MIDSHIPMAN IN 17 THE SENIOR RESERVE OFFICERS’ TRAINING 18 CORPS AND THE MILITARY DEPARTMENT 19 SERVICE ACADEMIES.**

20 (a) SENIOR RESERVE OFFICERS’ TRAINING  
 21 CORPS.—Section 2107(a) of title 10, United States Code,  
 22 is amended by striking out “25” and inserting in lieu  
 23 thereof “27”.

24 (b) UNITED STATES MILITARY ACADEMY.—Section  
 25 4346(a) of title 10, United States Code, is amended by

1 striking out “twenty-second birthday” and inserting in  
 2 lieu thereof “twenty-third birthday”.

3 (c) UNITED STATES NAVAL ACADEMY.—Clause (1)  
 4 of section 6958(a) of title 10, United States Code, is  
 5 amended by striking out “twenty-second birthday” and in-  
 6 serting in lieu thereof “twenty-third birthday”.

7 (d) UNITED STATES AIR FORCE ACADEMY.—Section  
 8 9346(a) of title 10, United States Code, is amended by  
 9 striking out “twenty-second birthday” and inserting in  
 10 lieu thereof “twenty-third birthday”.

11 (e) EFFECTIVE DATE.—The amendment made by  
 12 subsection (a) shall take effect on the date of enactment  
 13 of this Act; the amendments made by subsections (b)  
 14 through (d) shall take effect with regard to individuals en-  
 15 tering the United States Military Academy, the United  
 16 States Naval Academy, and the United States Air Force  
 17 Academy after June 1, 1997.

18 **SEC. 511. EXPANSION OF SENIOR RESERVE OFFICERS’**  
 19 **TRAINING CORPS ADVANCED TRAINING PRO-**  
 20 **GRAM TO INCLUDE GRADUATE STUDENTS.**

21 (a) IN GENERAL.—Section 2107(c) of title 10,  
 22 United States Code, is amended by inserting before the  
 23 last sentence the following new penultimate sentence:  
 24 “The Secretary of the military department concerned may  
 25 provide similar financial assistance to a student enrolled

1 in an advanced education program beyond the bacca-  
 2 laureate degree level provided the student also is a cadet  
 3 or midshipman in an advanced training program.”.

4 (b) CONFORMING AMENDMENT.—Paragraph (2) of  
 5 subsection (h) of such section 2107 is amended in the first  
 6 sentence—

7 (1) by striking out “two years” and inserting in  
 8 lieu thereof “up to two years”, and

9 (2) by striking out “four years” and inserting  
 10 in lieu thereof “up to four years”.

11 (c) DEFINITIONAL CHANGE.—Paragraph (3) of sec-  
 12 tion 2101 of title 10, United States Code, is amended by  
 13 inserting “students enrolled in an advanced education pro-  
 14 gram beyond the baccalaureate degree level or to” after  
 15 “instruction offered in the Senior Reserve Officers’ Train-  
 16 ing Corps to”.

## 17 **Subtitle C—Other Matters**

### 18 **SEC. 515. CLARIFYING DEFINITION OF ACTIVE STATUS.**

19 The definition of “active status” in section 101(d)(4)  
 20 of title 10, United States Code, is amended by striking  
 21 out “a reserve commissioned officer, other than a commis-  
 22 sioned warrant officer”; and inserting in lieu thereof the  
 23 following: “a member of a reserve component”.

1 **SEC. 516. CHIEF WARRANT OFFICER PROMOTIONS.**

2 (a) REDUCTION OF MINIMUM TIME IN GRADE RE-  
3 QUIRED FOR CHIEF WARRANT OFFICER TO BE CONSID-  
4 ERED FOR PROMOTION.—Section 574(e) of title 10,  
5 United States Code, is amended by striking out “three”  
6 and inserting in lieu thereof “two”;

7 (b) AUTHORIZATION OF BELOW-ZONE SELECTION  
8 FOR PROMOTION TO GRADE OF CHIEF WARRANT OFFI-  
9 CER.—Section 575(b) of such title 10 is amended by in-  
10 serting “chief warrant officer, W-3,” after “to consider  
11 warrant officers for selection for promotion to the grade  
12 of”.

13 **SEC. 517. REVISIONS TO MISSING PERSONS AUTHORITIES.**

14 (a) REPEAL OF JUDICIAL REVIEW AND  
15 PREENACTMENT, SPECIAL INTEREST CASES PROVI-  
16 SIONS.—Section 1508 and 1509 of title 10, United States  
17 Code, are hereby repealed.

18 (b) TRANSMISSION THROUGH THEATER COMPONENT  
19 COMMANDER.—(1) Section 1502 of title 10, United States  
20 Code, is amended—

21 (A) in subsection (a)(2)—

22 (i) by striking “48 hours” and insert-  
23 ing in lieu thereof “10 days”; and

24 (ii) by striking “theater component  
25 commander” and inserting in lieu thereof  
26 “Secretary concerned”;

1 (B) by striking out subsection (b);

2 (C) by redesignating subsection (c) as sub-  
3 section (b); and

4 (D) in subsection (b), as so redesignated, by  
5 striking “The theater component commander” and  
6 all that follows to the end of the subsection.

7 (2) Section 1503(a) of such title is amended by strik-  
8 ing “1502(b)” and inserting in lieu thereof “1502(a)”.

9 (3) Section 1513 of such title 10 is amended by strik-  
10 ing out paragraph (8).

11 (c) COUNSEL FOR MISSING PERSON.—(1) Section  
12 1503 of title 10, United States Code, is amended—

13 (A) by striking subsection (f);

14 (B) by redesignating subsections (g), (h), (i),  
15 (j), and (k) as subsections (f), (g), (h), (i) and (j),  
16 respectively;

17 (C) in subsection (g)(C)(3), as so redesignated,  
18 by striking “(j)” and inserting in lieu thereof “(i)”;

19 (D) in subsection (j), as so redesignated—

20 (i) by striking “(i)” and inserting in lieu  
21 thereof “(h)”;

22 (ii) in paragraph (1)(B) by striking “(h)”  
23 and inserting in lieu thereof “(g)”;

24 (E) in subsection (k), as so redesignated, by  
25 striking “(i)” and inserting in lieu thereof “(h)”.

- 1       (2) Section 1504 of such title is amended—
- 2           (A) in subsection (a) by striking “(i)” and in-
- 3       serting in lieu thereof “(h)”;
- 4           (B) by striking subsection (f);
- 5           (C) by redesignating subsections (g), (h), (i),
- 6       (j), (k), (l) and (m) as subsections (f), (g), (h), (i),
- 7       (j), (k) and (l), respectively;
- 8           (D) in subsection (g)(3)(A), as so redesignated,
- 9       by striking “and the counsel for the missing person
- 10      appointed under subsection (f)”;
- 11          (E) in subsection (j), as so redesignated—
- 12           (i) in paragraph (1) by striking “(j)” and
- 13      inserting in lieu thereof “(i)”;
- 14           (ii) by striking paragraph (1)(B);
- 15           (iii) by redesignating paragraph (1)(C) as
- 16      paragraph (1)(B);
- 17           (iv) in paragraph (1)(B), as so redesign-
- 18      nated, by striking “(g)(5)” inserting in lieu
- 19      thereof “(f)(5)”;
- 20           (v) in paragraph (2) by striking “(C)” and
- 21      inserting in lieu thereof “(B)”;
- 22          (F) in subsection (k), as so redesignated, by
- 23      striking “(k)” and inserting in lieu thereof “(j)”;
- 24      and

1 (G) in subsection (l), as so redesignated, by  
2 striking “(k)” and inserting in lieu thereof “(j)”.

3 (3) Section 1505(c) of such title is amended—

4 (A) in paragraph (2) by striking “(A) the des-  
5 ignated missing person’s counsel for that person,  
6 and (B)”;

7 (B) in paragraph (3) by striking “with the ad-  
8 vice of the missing person’s counsel notified under  
9 paragraph (2),”.

10 (d) THREE YEAR REVIEWS.—Section 1505 of title  
11 10, United States Code, is amended by striking subsection  
12 (b) and inserting in lieu thereof—

13 “(b) FREQUENCY OF SUBSEQUENT REVIEWS.—The  
14 Secretary shall appoint a board to conduct an inquiry with  
15 respect to a missing person under this subsection upon  
16 receipt of information that may result in a change of sta-  
17 tus of the missing person.”.

18 (e) WRONGFUL WITHHOLDING.—Section 1506 of  
19 title 10, United States Code, is amended—

20 (1) by striking subsection (e); and

21 (2) by redesignating subsection (f) as sub-  
22 section (e), respectively.

23 (f) RECOMMENDATION ON STATUS OF DEATH.—Sec-  
24 tion 1507(b) of title 10, United States Code, is amended  
25 by striking paragraphs (3) and (4).

1 (g) DEPARTMENT OF DEFENSE CIVILIAN EMPLOY-  
 2 EES AND CONTRACTOR EMPLOYEES.—Section 1501(c) of  
 3 title 10, United States Code, is amended—

4 (1) by striking “the following persons: (1) Any”  
 5 and inserting in lieu thereof “any”; and

6 (2) by striking paragraph (2).

7 (h) CLERICAL AMENDMENT.—The table of sections  
 8 at the beginning of chapter 76 of title 10, United States  
 9 Code, is amended by striking the items referring to sec-  
 10 tions 1508 and 1509.

11 **SEC. 518. AUTHORITY FOR TEMPORARY PROMOTIONS OF**  
 12 **CERTAIN NAVY LIEUTENANTS.**

13 Section 5721 of title 10, United States Code, is  
 14 amended by striking subsection (g).

15 **SEC. 519. EXTENSION IN THE DELAYED ENTRY PROGRAM**  
 16 **OF UP TO 180 DAYS FOR MERITORIOUS**  
 17 **CASES.**

18 Section 513(b) of title 10, United States Code, is  
 19 amended—

20 (1) by adding after the first sentence the follow-  
 21 ing new sentence: “The Secretary concerned may ex-  
 22 tend the above 365-day limitation period for a per-  
 23 son in the delayed entry program for up to an addi-  
 24 tional 180 days when he or she considers it expedi-  
 25 ent to do so.”; and



1           (2) in the last sentence by striking out “the  
2       preceding sentence” and inserting in lieu thereof  
3       “under this section”.

4       **TITLE VI—COMPENSATION AND**  
5       **OTHER PERSONNEL BENEFITS**  
6       **Subtitle A—Pay and Allowances**

7       **SEC. 601. MILITARY PAY RAISE FOR FISCAL YEAR 1997.**

8           (a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any  
9       adjustment required by section 1009 of title 37, United  
10      States Code, in elements of compensation of members of  
11      the uniformed services to become effective during fiscal  
12      year 1997 shall not be made.

13          (b) INCREASE IN BASIC PAY, BAS, AND BAQ.—Ef-  
14      fective on January 1, 1997, the rates of basic pay, basic  
15      allowance for subsistence, and basic allowance for quarters  
16      of members of the uniformed services are increased by 3.0  
17      percent.

18      **SEC. 602. RESTRICTION ON ENTITLEMENT TO BASIC AL-**  
19                               **LOWANCE FOR QUARTERS FOR RESERVE**  
20                               **COMPONENT MEMBERS.**

21      Section 403(a) of title 37, United States Code, is  
22      amended by adding at the end of paragraph (1) the follow-  
23      ing new sentence: “A member of the Ready Reserve who  
24      is serving on active duty for a period of fifteen days or  
25      less and who is provided government quarters is not enti-

1 tled to a basic allowance for quarters unless accompanied  
 2 by his dependents.”.

3 **SEC. 603. CONTINUOUS BAQ/VHA FOR SINGLE MEMBERS**  
 4 **WHO PCS TO DEPLOYED UNIT; AUTHORIZA-**  
 5 **TION TO QUARTERS ASHORE (EITHER ADE-**  
 6 **QUATE OR INADEQUATE), OR BASIC ALLOW-**  
 7 **ANCE FOR QUARTERS FOR E-5 MEMBERS,**  
 8 **WITHOUT DEPENDENTS, ASSIGNED TO SEA**  
 9 **DUTY; AND BAQ/VHA FOR SHIPBOARD MILI-**  
 10 **TARY COUPLES.**

11 Section 403(c)(2) of title 37, United States Code, is  
 12 amended—

13 (1) at the beginning of the first sentence by  
 14 striking “A member” and inserting in lieu thereof  
 15 “Except as otherwise provided in this paragraph, a  
 16 member”; and

17 (2) by striking the second sentence and insert-  
 18 ing in lieu thereof “Under regulations of the Sec-  
 19 retary concerned that must consider the availability  
 20 of quarters, such Secretary may authorize payment  
 21 of the basic allowance for quarters to a member of  
 22 a uniformed service under the Secretary’s jurisdic-  
 23 tion when the member is without dependents, is  
 24 serving in pay grade E–5, and is assigned to sea  
 25 duty. Two members of the uniformed services in pay

1       grades below E-6, who are married to each other  
 2       and have no other dependents, and who are simulta-  
 3       neously assigned to sea duty on ships are entitled to  
 4       a basic allowance for quarters (equal to the with de-  
 5       pendents rate of the pay grade of the senior member  
 6       only).”.

7       (b) The amendments made by this section shall be-  
 8       come effective July 1, 1997. With the approval of the Sec-  
 9       retary of Defense, if funds are available for such purpose,  
 10      the Secretary of a Military Department may implement  
 11      such amendments on an appropriate date following the  
 12      date of enactment of this Act.

13      **SEC. 604. ADJUSTMENTS IN CADET AND MIDSHIPMEN PAY.**

14      Section 203(c) of title 37, United States Code, is  
 15      amended by striking paragraph (2) in its entirety and  
 16      “(1)” at the beginning of the subsection.

17                   **Subtitle B—Extension of Bonus**  
 18                   **and Incentive Pays**

19      **SEC. 605. EXTENSION OF AUTHORITY RELATING TO PAY-**  
 20                   **MENT OF OTHER BONUSES AND SPECIAL**  
 21                   **PAYS.**

22      (a) AVIATION OFFICER RETENTION BONUS.—Sec-  
 23      tion 301b(a) of title 37, United States Code, is amended  
 24      by striking out “September 30, 1997,” and inserting in  
 25      lieu thereof “September 30, 1999”.

1 (b) REENLISTMENT BONUS FOR ACTIVE MEM-  
2 BERS.—Section 308(g) of title 37, United States Code, is  
3 amended by striking out “September 30, 1997” and in-  
4 serting in lieu thereof “September 30, 1999”.

5 (c) ENLISTMENT BONUSES FOR CRITICAL SKILLS.—  
6 Sections 308a(c) and 308f(c) of title 37, United States  
7 Code, are each amended by striking out “September 30,  
8 1997” and inserting in lieu thereof “September 30,  
9 1999”.

10 (d) SPECIAL PAY FOR ENLISTED MEMBERS OF THE  
11 SELECTED RESERVE ASSIGNED TO CERTAIN HIGH PRI-  
12 ORITY UNITS.—Section 308d(c) of title 37, United States  
13 Code, is amended by striking out “September 30, 1997”  
14 and inserting in lieu thereof “September 30, 1999”.

15 (e) REPAYMENT OF EDUCATION LOANS FOR CER-  
16 TAIN HEALTH PROFESSIONALS WHO SERVE IN THE SE-  
17 LECTED RESERVE.—Section 16302(d) of title 10, United  
18 States Code, is amended by striking out “October 1,  
19 1997” and inserting in lieu thereof “October 1, 1999”.

20 (f) SPECIAL PAY FOR CRITICALLY SHORT WARTIME  
21 HEALTH SPECIALISTS IN THE SELECTED RESERVES.—  
22 Section 302g(f) of title 37, United States Code, is amend-  
23 ed by striking out “September 30, 1997” and inserting  
24 in lieu thereof “September 30, 1999”.

1 (g) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFI-  
2 CERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section  
3 312(e) of title 37, United States Code, is amended by  
4 striking out “September 30, 1997” and inserting in lieu  
5 thereof “September 30, 1999”.

6 (h) NUCLEAR CAREER ACCESSION BONUS.—Section  
7 312b(c) of title 37, United States Code, is amended by  
8 striking out “September 30, 1997” and inserting in lieu  
9 thereof “September 30, 1999”.

10 (i) NUCLEAR CAREER ANNUAL INCENTIVE BONUS.—  
11 Section 312c(d) of title 37, United States Code, is amend-  
12 ed by striking out “October 1, 1997” and inserting in lieu  
13 thereof “October 1, 1999”.

14 **SEC. 606. EXTENSION OF CERTAIN BONUSES FOR RESERVE**  
15 **FORCES.**

16 (a) SELECTED RESERVE REENLISTMENT BONUS.—  
17 Section 308b(f) of title 37, United States Code, is amend-  
18 ed by striking out “September 30, 1997” and inserting  
19 in lieu thereof “September 30, 1999”.

20 (b) SELECTED RESERVE ENLISTMENT BONUS.—Sec-  
21 tion 308c(e) of title 37, United States Code, is amended  
22 by striking out “September 30, 1997” and inserting in  
23 lieu thereof “September 30, 1999”.

24 (c) SELECTED RESERVE AFFILIATION BONUS.—Sec-  
25 tion 308e(e) of title 37, United States Code, is amended

1 by striking out “September 30, 1997” and inserting in  
 2 lieu thereof “September 30, 1999”.

3 (d) READY RESERVE ENLISTMENT AND REENLIST-  
 4 MENT BONUS.—Section 308h(g) of title 37, United States  
 5 Code, is amended by striking out “September 30, 1997”  
 6 and inserting in lieu thereof “September 30, 1999”.

7 (e) PRIOR SERVICE ENLISTMENT BONUS.—Section  
 8 308i(i) of title 37, United States Code, is amended by  
 9 striking out “September 30, 1997” and inserting in lieu  
 10 thereof “September 30, 1999”.

11 **SEC. 607. EXTENSION AND MODIFICATION OF CERTAIN BO-**  
 12 **NUSES AND SPECIAL PAY FOR NURSE OFFI-**  
 13 **CER CANDIDATES, REGISTERED NURSES AND**  
 14 **NURSE ANESTHETISTS.**

15 (a) NURSE OFFICER CANDIDATE ACCESSION PRO-  
 16 GRAM.—Section 2130a(a)(1) of title 10, United States  
 17 Code, is amended by striking out “September 30, 1997”  
 18 and inserting in lieu thereof “September 30, 1999”.

19 (b) ACCESSION BONUS FOR REGISTERED NURSES.—  
 20 Section 302d(a)(1) of title 37, United States Code, is  
 21 amended by striking out “September 30, 1997” and in-  
 22 serting in lieu thereof “September 30, 1999”.

23 (c) INCENTIVE SPECIAL PAY FOR NURSE ANES-  
 24 THETISTS.—Section 302e(a)(1) of title 37, United States

1 Code, is amended by striking out “September 30, 1997”  
2 and inserting in lieu thereof “September 30, 1999”.

3 **Subtitle C—Travel and**  
4 **Transportation Allowances**

5 **SEC. 610. ROUND-TRIP TRAVEL ALLOWANCES FOR SHIP-**  
6 **PING MOTOR VEHICLES AT GOVERNMENT EX-**  
7 **PENSE.**

8 (a) IN GENERAL.—Section 406(b)(1)(B) of title 37,  
9 United States Code, is amended as follows:

10 (1) in clause (i)(I) by inserting “, including re-  
11 turn travel to the old duty station,” after “nearest  
12 the old duty station”; and

13 (2) in subparagraph (ii) by inserting “, includ-  
14 ing travel from the new duty station to the port of  
15 debarkation to pick up the vehicle” after “to the new  
16 duty station”.

17 (b) EFFECTIVE DATE.—The amendments made by  
18 this section shall become effective July 1, 1997. With the  
19 approval of the Secretary of Defense, if funds are available  
20 for such purpose, the Secretary of a Military Department  
21 may implement such amendments at an earlier date fol-  
22 lowing the date of enactment of this Act.

1 **SEC. 611. AUTHORITY TO REIMBURSE DEPARTMENT OF DE-**  
2 **FENSE DOMESTIC DEPENDENT-SCHOOL-**  
3 **BOARD MEMBERS FOR CERTAIN PROGRAMS**  
4 **AND ACTIVITIES.**

5 Section 2164(d) of title 10, United States Code, is  
6 amended by adding at the end a new paragraph (7) as  
7 follows:

8 “(7) The Secretary may provide for reimburse-  
9 ment to a school board member for travel and trans-  
10 portation expenses, to include program and activity  
11 fees, that the Secretary determines are reasonable  
12 and necessary to the performance of school board  
13 duties.”.

14 **SEC. 612. STORAGE OF A MOTOR VEHICLE IN LIEU OF**  
15 **TRANSPORTATION.**

16 (a) Section 2634 of title 10, United States Code, is  
17 amended—

18 (1) by redesignating subsections (b) and (c) as  
19 subsections (c) and (d), respectively; and

20 (2) by adding a new subsection (b) as follows:

21 “(b) In lieu of transportation authorized by this sec-  
22 tion, if a member is ordered to a foreign country, and the  
23 laws, regulations, or other restrictions imposed by the for-  
24 eign country or the United States Government preclude  
25 entry or require extensive modification as a condition to  
26 entry of the member’s (or a dependent of the member’s)



1 motor vehicle into such country, such member may elect  
2 storage at the expense of the United States, to include  
3 authorized costs associated with the delivery of the motor  
4 vehicle for storage and removal for delivery to the next  
5 authorized destination.”.

6 (b) Clause (h)(1)(B) of section 406 of title 37, United  
7 States Code, is amended to read as follows:

8 “(B) in the case of a member described in  
9 paragraph 2(A), authorize the transportation of  
10 one motor vehicle that is owned by the member  
11 (or a dependent of a member) and is for his de-  
12 pendent’s personal use to that location by  
13 means of transportation authorized under sec-  
14 tion 2634 of title 10, or storage of such motor  
15 vehicle as authorized under said section.”.

16 (c) The amendments made by this section shall be-  
17 come effective July 1, 1997. With the approval of the Sec-  
18 retary of Defense, if funds are available for such purpose,  
19 the Secretary of a Military Department may implement  
20 such amendments earlier than July 1, 1997, but not ear-  
21 lier than the date of enactment of this Act.

1 **SEC. 613. REPEAL OF PROHIBITION ON PAYMENT OF LODG-**  
 2 **ING EXPENSES WHEN ADEQUATE GOVERN-**  
 3 **MENT QUARTERS ARE AVAILABLE.**

4 Section 1589 of title 10, United States Code, is re-  
 5 pealed.

6 **Subtitle D—Retired Pay, Survivor**  
 7 **Benefits, and Related Matters**

8 **SEC. 615. EFFECTIVE DATE FOR MILITARY RETIREE COST-**  
 9 **OF-LIVING ADJUSTMENT FOR FISCAL YEAR**  
 10 **1998.**

11 (a) ADJUSTMENT OF EFFECTIVE DATE.—Subpara-  
 12 graph (B) of section 1401a(b)(2) of title 10, United States  
 13 Code, is amended to read as follows:

14 “(B) SPECIAL RULE FOR FISCAL YEAR  
 15 1996.—In the case of the increase in retired pay  
 16 that, pursuant to paragraph (1), becomes effec-  
 17 tive on December 1, 1995, the initial month for  
 18 which such increase is payable as part of such  
 19 retired pay shall (notwithstanding such Decem-  
 20 ber 1 effective date) be March 1996.”.

21 (b) REPEAL OF CONTINGENT ALTERNATIVE DATE  
 22 FOR FISCAL YEAR 1998.—Section 631 of the National  
 23 Defense Authorization Act for Fiscal Year 1996 (Public  
 24 Law 104–106; 110 Stat. 364) is amended by striking sub-  
 25 section (b) and further, by redesignating subsection (c) as  
 26 the new subsection (b).

1 **SEC. 616. CLARIFYING USE OF MILITARY MORALE, WEL-**  
 2 **FARE, AND RECREATION FACILITIES BY RE-**  
 3 **TIRED RESERVISTS.**

4 Section 1065(a) of title 10, United States Code, is  
 5 amended by striking out the last sentence and inserting  
 6 in lieu thereof the following: “Such use by members of  
 7 the Selected Reserve, and the dependents of such mem-  
 8 bers, shall be permitted on the same basis as members  
 9 on active duty. Such use by members who would be eligible  
 10 for retired pay under chapter 67 of this title but for the  
 11 fact that the members are under 60 years of age, and the  
 12 dependents of such members, shall be on the same basis  
 13 as members who retired after serving 20 or more years  
 14 on active duty.”.

15 **Subtitle E—Other Matters**

16 **SEC. 620. DISABILITY COVERAGE FOR OFFICERS GRANTED**  
 17 **EXCESS LEAVE FOR EDUCATIONAL**  
 18 **PURPOSES.**

19 (a) **ELIGIBILITY FOR RETIREMENT.**—Section 1201  
 20 of title 10, United States Code, is amended by striking  
 21 in the first sentence “Upon a determination” and all that  
 22 follows to the first dash and inserting in lieu thereof the  
 23 following: “Upon a determination by the Secretary con-  
 24 cerned that a member of a regular component of the  
 25 armed forces entitled to basic pay, or any other member  
 26 of the armed forces entitled to basic pay who has been

1 called or ordered to active duty (other than for training  
2 under section 10148(a) of this title) for a period of more  
3 than 30 days, or a member of a regular component of the  
4 armed forces who, while on active duty, is not entitled to  
5 basic pay because he is authorized by the Secretary con-  
6 cerned under section 502(b) of title 37 to participate in  
7 an educational program, is unfit to perform the duties of  
8 his office, grade, rank, or rating because of physical dis-  
9 ability incurred while entitled to basic pay, or while not  
10 entitled to basic pay because he is authorized by the Sec-  
11 retary concerned under section 502(b) of title 37 to par-  
12 ticipate in an educational program, the Secretary may re-  
13 tire the member, with retired pay computed under section  
14 1401 of this title, if the Secretary also determines that”.

15 (b) ELIGIBILITY FOR PLACEMENT ON TEMPORARY  
16 DISABILITY RETIREMENT LIST.—Section 1202 of title 10,  
17 United States Code, is amended by inserting “or a mem-  
18 ber of a regular component of the armed forces who, while  
19 on active duty, is not entitled to basic pay because he is  
20 authorized by the Secretary concerned under section  
21 502(b) of title 37 to participate in an educational pro-  
22 gram,” after “for a period of more than 30 days,”.

23 (c) ELIGIBILITY FOR SEPARATION.—Section 1203 of  
24 title 10, United States Code, is amended by striking in  
25 the first sentence “Upon a determination” and all that

1 follows to the first dash and inserting in lieu thereof the  
2 following: “Upon a determination by the Secretary con-  
3 cerned that a member of a regular component of the  
4 armed forces entitled to basic pay, or any other member  
5 of the armed forces entitled to basic pay who has been  
6 called or ordered to active duty (other than for training  
7 under section 10148(a) of this title) for a period of more  
8 than 30 days, or a member of a regular component of the  
9 armed forces who, while on active duty, is not entitled to  
10 basic pay because he is authorized by the Secretary con-  
11 cerned under section 502(b) of title 37 to participate in  
12 an educational program, is unfit to perform the duties of  
13 his office, grade, rank, or rating because of physical dis-  
14 ability incurred while entitled to basic pay, or while not  
15 entitled to basic pay because he is authorized by the Sec-  
16 retary concerned under section 502(b) of title 37 to par-  
17 ticipate in an educational program, the member may be  
18 separated from his armed force with severance pay com-  
19 puted under section 1212 of this title, if the Secretary also  
20 determines that—”.

21 (d) EFFECTIVE DATE.—The amendments made by  
22 this section shall take effect on the date of the enactment  
23 of this Act and apply with respect to physical disabilities  
24 incurred on or after such date.

1 **SEC. 621. AMENDMENTS TO THE UNIFORMED SERVICES**  
2 **FORMER SPOUSES' PROTECTION ACT.**

3 Section 1408 of title 10, United States Code, is  
4 amended as follows:

5 (1) In subsection (b)(1), by striking out “cer-  
6 tified or registered mail, return receipt requested” in  
7 paragraph (A) and inserting in lieu thereof, “fac-  
8 simile or electronic transmission, mail”.

9 (2) In subsection (e)—

10 (A) by adding after subparagraph (3) the  
11 following new subparagraph (4):

12 “(4) An order modifying or clarifying the origi-  
13 nal court order upon which payments under this sec-  
14 tion are based and issued by a state other than the  
15 state issuing the original court order shall not be  
16 honored unless the court modifying or clarifying the  
17 original court order is found to have jurisdiction  
18 over both the member and former spouse in accord-  
19 ance with the guidance set forth in subsection  
20 (c)(4).”; and

21 (B) by redesignating subparagraphs (4),  
22 (5), and (6), as subparagraphs (5), (6), and  
23 (7), respectively.

24 (3) In subsection (h), by amending subpara-  
25 graph (10)(A) to read as follows:

1           “(10)(A) For purposes of this subsection, in the  
 2           case of a member of the armed services who has  
 3           been sentenced by a court-martial to receive punish-  
 4           ment that will terminate the eligibility of that mem-  
 5           ber to receive retired pay if executed, the eligibility  
 6           of that member to receive retired pay may, as deter-  
 7           mined by the Secretary concerned, be considered ter-  
 8           minated effective either upon the approval of that  
 9           sentence by the person acting under section 860(c)  
 10          of this title (article 60(c) of the Uniform Code of  
 11          Military Justice), or upon the discharge of the mem-  
 12          ber from the uniformed services.”.

13 **SEC. 622. TRAVEL AND TRANSPORTATION ALLOWANCES:**

14                   **TRAVEL PERFORMED IN CONNECTION WITH**  
 15                   **LEAVE BETWEEN CONSECUTIVE OVERSEAS**  
 16                   **TOURS.**

17          (a) **ADDITIONAL DEFERRAL.**—Paragraph (2) of sub-  
 18          section 411b(a) of title 37, United States Code, is amend-  
 19          ed by inserting at the end the following new sentence:  
 20          “Notwithstanding the limitation in the preceding sentence,  
 21          a member who is unable to travel under this provision  
 22          prior to completion of the one year period after the date  
 23          the member begins the consecutive overseas tour of duty  
 24          or arrives at a new duty station due to participation in  
 25          a critical operational mission, as determined by the Service

1 Secretaries or their designated representatives, may,  
 2 under the uniform regulations referred to in paragraph  
 3 (1), defer that travel for a period not to exceed one year  
 4 after assignment from the critical operational mission that  
 5 precluded the travel.”.

6 (b) EFFECTIVE DATE.—The amendment made by  
 7 this section shall be effective for all members participating  
 8 in critical operational missions on or after 1 November  
 9 1995.

## 10 **TITLE VII—HEALTH CARE** 11 **PROVISIONS**

### 12 **SEC. 701. TECHNICAL REVISION TO CHAMPUS PAYMENT** 13 **LIMITS FOR TRICARE PRIME ENROLLEES.**

14 Section 1079(h)(4) of title 10, United States Code,  
 15 is amended in the second sentence by striking “emer-  
 16 gency”.

### 17 **SEC. 702. REPEAL OF THE STATUTORY RESTRICTION ON** 18 **USE OF FUNDS FOR ABORTIONS.**

19 (a) IN GENERAL.—Section 1093 of title 10, United  
 20 States Code, is repealed.

21 (b) CLERICAL AMENDMENT.—The table of sections  
 22 at the beginning of chapter 55, United States Code, is  
 23 amended by striking out the item referring to section  
 24 1093.



1 **SEC. 703. MEDICAL AND DENTAL CARE FOR RESERVE COM-**  
2 **POONENT MEMBERS IN A DUTY STATUS.**

3 (a) IN GENERAL.—Chapter 55 of title 10, United  
4 States Code, is amended by striking out section 1074a and  
5 inserting in lieu thereof the following:

6 **“§ 1074a. Medical and dental care for Reserve compo-**  
7 **nent members in a duty status**

8 “(a) Under joint regulations prescribed by the admin-  
9 istering Secretaries, the following persons are entitled to  
10 the benefits described in subsection (b):

11 “(1) Each member of a reserve component of a  
12 uniformed service who incurs or aggravates an in-  
13 jury, illness, or disease in the line of duty while per-  
14 forming—

15 “(A) active duty, active duty for training,  
16 annual training or full-time National Guard  
17 duty, or

18 “(B) inactive duty training, in a pay or  
19 nonpay status.

20 “(2) Each member of a reserve component of a  
21 uniformed service who incurs or aggravates an in-  
22 jury, illness, or disease while traveling directly to or  
23 from the place at which that member is to perform  
24 or has performed—

1           “(A) active duty, active duty for training,  
2           annual training or full-time National Guard  
3           duty, or

4           “(B) inactive duty training, in a pay or  
5           nonpay status.

6           “(3) Each member of a reserve component of a  
7           uniformed service who incurs or aggravates an in-  
8           jury, illness, or disease in the line of duty while re-  
9           maining overnight, between successive periods of in-  
10          active duty training, and the site is outside reason-  
11          able commuting distance from the member’s resi-  
12          dence.

13          “(b) A person described in subsection (a) is entitled  
14          to—

15               “(1) the medical and dental care appropriate  
16               for the treatment of the injury, illness, or disease of  
17               that person until the member completes treatment  
18               and is returned to full military duty or has com-  
19               pleted processing in accordance with chapter 61 of  
20               this title;

21               “(2) upon the member’s request, continuation  
22               on active duty, for personnel included in subsections  
23               (a)(1)(A) and (a)(2)(A), during the period of hos-  
24               pitalization resulting from the injury, illness, or dis-  
25               ease; and

1 “(3) the pay and allowances authorized in ac-  
 2 cordance with sections 204 (g) and (h) of title 37,  
 3 United States Code.

4 “(c) A member is not entitled to benefits under this  
 5 section if the injury, illness, or disease, or aggravation of  
 6 an injury, illness, or disease described in subsection (a)(2),  
 7 is the result of the gross negligence or misconduct of the  
 8 member.”.

9 (b) CLERICAL AMENDMENT.—The table of sections  
 10 for such chapter 55 is amended by striking out the item  
 11 referring to section 1074a and inserting in lieu thereof the  
 12 following:

“1074a. Medical and dental care for Reserve component members in a duty sta-  
 tus.”.

13 **SEC. 704. IMPROVED DEATH AND DISABILITY BENEFITS**  
 14 **FOR RESERVISTS.**

15 (a) MEDICAL AND DENTAL CARE.—Section 1074a(a)  
 16 of title 10, United States Code, is amended by inserting  
 17 after paragraph (2) the following new paragraph:

18 “(3) Each member of the armed forces who in-  
 19 curs or aggravates an injury, illness, or disease in  
 20 the line of duty while remaining overnight, between  
 21 successive periods of inactive-duty training, at or in  
 22 the vicinity of the site of the inactive-duty training,  
 23 and the site is outside reasonable commuting dis-  
 24 tance from the member’s residence.”.

1 (b) RECOVERY, CARE, AND DISPOSITION OF RE-  
2 MAINS.—Section 1481(a)(2) of title 10, United States  
3 Code, is amended—

4 (1) in subparagraph (C) by striking out “or” at  
5 the end;

6 (2) by redesignating subparagraph (D) as sub-  
7 paragraph (E); and

8 (3) by inserting after subparagraph (C) the fol-  
9 lowing new subparagraph:

10 “(D) remaining overnight, between succes-  
11 sive periods of inactive-duty training, at or in  
12 the vicinity of the site of the inactive-duty  
13 training, and the site is outside reasonable com-  
14 muting distance from the member’s residence;  
15 or”.

16 (c) RETIREMENT/SEPARATION FOR DISABILITY.—  
17 Section 1204(2) of title 10, United States Code, is amend-  
18 ed by striking out the semicolon at the end of the subpara-  
19 graph and inserting the following: “or in line of duty while  
20 remaining overnight, between successive periods of inac-  
21 tive-duty training, at or in the vicinity of the site of the  
22 inactive-duty training, and the site is outside reasonable  
23 commuting distance from the member’s residence.”.

1 (d) ENTITLEMENT TO BASIC PAY.—(1) Subsection  
2 (g)(1) of section 204 of title 37, United States Code, is  
3 amended—

4 (A) in subparagraph (B), by striking out “or”  
5 at the end of the subparagraph;

6 (B) in subparagraph (C), by striking out the  
7 period at the end of the subparagraph and inserting  
8 in lieu thereof “; or”; and

9 (C) by inserting after subparagraph (C) the fol-  
10 lowing new subparagraph:

11 “(D) in line of duty while remaining over-  
12 night, between successive periods of inactive-  
13 duty training, at or in the vicinity of the site of  
14 the inactive-duty training, and the site is out-  
15 side reasonable commuting distance from the  
16 member’s residence.”.

17 (2) Subsection (h)(1) of such section is amended—

18 (A) in subparagraph (B) by striking out “or”  
19 at the end of the subparagraph;

20 (B) in subparagraph (C), by striking out the  
21 period at the end of the subparagraph and inserting  
22 in lieu thereof “; or”; and

23 (C) by inserting after subparagraph (C) the fol-  
24 lowing new subparagraph:

1           “(D) in line of duty while remaining over-  
2           night, between successive periods of inactive-  
3           duty training, at or in the vicinity of the site of  
4           the inactive-duty training, and the site is out-  
5           side reasonable commuting distance from the  
6           member’s residence.”.

7           (e) COMPENSATION FOR INACTIVE-DUTY TRAIN-  
8   ING.—Section 206(a)(3) of title 37 is amended—

9           (1) in subparagraph (A) by striking out “or” at  
10          the end of clause (ii);

11          (2) in subparagraph (B), by striking out the pe-  
12          riod at the end of the subparagraph and inserting in  
13          lieu thereof “; or”; and

14          (3) by inserting after subparagraph (B) the fol-  
15          lowing new subparagraph:

16               “(C) in line of duty while overnight, be-  
17               tween successive periods of inactive-duty train-  
18               ing, at or in the vicinity of the site of the inac-  
19               tive-duty training, and the site is outside rea-  
20               sonable commuting distance from the member’s  
21               residence.”.

1     **TITLE XIII—ACQUISITION AND**  
2             **RELATED MATTERS**

3     **SEC. 801. REPEAL OF PROCUREMENT TECHNICAL ASSIST-**  
4             **ANCE COOPERATIVE AGREEMENT PROGRAM.**

5         (a) REPEAL.—Chapter 142 of title 10, United States  
6     Code, is hereby repealed.

7         (b) CONFORMING AMENDMENT.—Part IV of Subtitle  
8     A of such title is amended by striking out in the table  
9     of chapters at the beginning of such title the item refer-  
10    ring to chapter 142.

11    **SEC. 802. EXTENSION OF PILOT MENTOR PROGRAM.**

12         Section 831(j)(2) of the National Defense Authoriza-  
13    tion Act for Fiscal Year 1991 (Public Law 101–510; 10  
14    U.S.C. 2301 note) is amended by striking out “1996” and  
15    inserting in lieu thereof “1998.”

16    **SEC. 803. EXTENSION AND REVISION OF AUTHORITY TO**  
17             **ENTER INTO PROTOTYPE PROJECTS.**

18         Section 845 of the National Defense Authorization  
19    Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C.  
20    2371 note) is amended—

21             (1) in subsection (a) by inserting after “Agen-  
22         cy” “, the Secretary of a military department or  
23         other official designated by the Secretary of De-  
24         fense”;

25             (2) in subsection (c)—

1 (A) by striking “of the Director”; and

2 (B) by striking “3 years after the date of  
3 enactment of this Act” and inserting in lieu  
4 thereof “on September 30, 1999.”;

5 (3) by redesignating subsection (c) as sub-  
6 section (d); and

7 (4) by inserting after subsection (b) the follow-  
8 ing new subsection (c):

9 “(c) FOLLOW-ON.—Notwithstanding any other provi-  
10 sion of law, the Secretary of Defense may conduct a fol-  
11 low-on acquisition of any prototype or technology dem-  
12 onstrator developed under the authority of this section uti-  
13 lizing such acquisition procedures as the Secretary deter-  
14 mines appropriate.”.

15 **SEC. 804. AUTHORITY FOR PAYMENTS FROM CANCELED AC-**  
16 **COUNT FOR SHIPBUILDING AND CONVER-**  
17 **SION TO BE MADE FROM PRIOR YEARS AC-**  
18 **COUNT.**

19 For purposes of section 1553(b) of title 31, United  
20 States Code, any subdivision of appropriations made in  
21 this Act and hereafter under the heading “Shipbuilding  
22 and Conversion, Navy” shall be considered to be for the  
23 same purpose as any subdivision under the heading “Ship-  
24 building and Conversion, Navy” appropriations in any  
25 prior year.



1 **SEC. 805. RELIANCE ON THE PRIVATE SECTOR FOR SUP-**  
2 **PLIES AND SERVICES.**

3 (a) IN GENERAL.—The Secretary of Defense shall  
4 rely on the private sector, to the maximum extent prac-  
5 ticable, for commercial or industrial type supplies and  
6 services necessary for or beneficial to the accomplishment  
7 of the authorized functions of the Department, except  
8 when the Secretary or his designee determines, in his dis-  
9 cretion, that the function should be performed by govern-  
10 ment personnel.

11 (b) AUTHORITY.—Notwithstanding any provision of  
12 title 10, United States Code, or any statute authorizing  
13 appropriations for, or making appropriations for, the De-  
14 partment of Defense, the Secretary may acquire by con-  
15 tract from the private sector or any non-federal govern-  
16 ment entities those commercial or industrial type supplies  
17 and services necessary for or beneficial to the accomplish-  
18 ment of the authorized functions of the Department. The  
19 Secretary shall use the procurement procedures of chapter  
20 137 of title 10, United States Code; however, when the  
21 Secretary provides for the procurement of such supplies  
22 and services using competitive procedures, the Secretary  
23 may limit the place of performance to the location where  
24 such supplies or services are being provided by federal gov-  
25 ernment personnel when the Secretary determines it is in  
26 the public interest.

# 1    **TITLE IX—ORGANIZATION AND** 2                    **MANAGEMENT**

## 3    **SEC. 901. CHANGE IN NAME OF NORTH AMERICAN AIR DE-** 4                    **FENSE COMMAND.**

5            Section 162 of title 10, United States Code, is  
 6 amended by striking out “North American Air Defense  
 7 Command” each place it appears and inserting in lieu  
 8 thereof “United States Element, North American Aero-  
 9 space Defense Command”.

## 10   **SEC. 902. AMENDMENT TO BOARD MEMBERSHIP OF THE** 11                    **AMMUNITION STORAGE BOARD.**

12            Section 172(a) of title 10, United States Code, is  
 13 amended by inserting “composed” after “a joint board”  
 14 and by inserting “, civilian employees of the Department  
 15 of Defense, or both” after “of officers”.

## 16   **Subtitle B—Financial Management**

## 17   **SEC. 910. DEVOLUTION OF ENVIRONMENTAL RESTORATION** 18                    **TRANSFER ACCOUNTS TO THE MILITARY DE-** 19                    **PARTMENTS.**

20            (a) Section 2703 of title 10, United States Code, is  
 21 amended to read as follows:

### 22   **“§ 2703. Environmental restoration transfer accounts**

23            “(a) ESTABLISHMENT OF TRANSFER ACCOUNTS.—

24                    “(1) ESTABLISHMENT.—There is hereby estab-  
 25            lished in the Department of Defense and in each of

1 the Military Departments, an account to be known  
2 as the “Environmental Restoration Account” (here-  
3 inafter in this section referred to as the “transfer  
4 accounts”). All sums appropriated to carry out the  
5 functions of the Secretary of Defense and the Sec-  
6 retaries of the Military Departments relating to en-  
7 vironmental restoration under this chapter or to en-  
8 vironmental restoration under any other provision of  
9 law shall be appropriated to their respective transfer  
10 accounts.

11 “(2) REQUIREMENT OF AUTHORIZATION OF AP-  
12 PROPRIATIONS.—No funds may be appropriated to  
13 the transfer accounts unless such sums have been  
14 specifically authorized by law.

15 “(3) AVAILABILITY OF FUNDS IN TRANSFER  
16 ACCOUNTS.—Amounts appropriated to the transfer  
17 accounts shall remain available until transferred  
18 under subsection (b).

19 “(b) AUTHORITY TO TRANSFER TO OTHER AC-  
20 COUNTS.—Amounts in their respective transfer accounts  
21 shall be available to be transferred by the Secretary of  
22 Defense or the Secretaries of the Military Departments  
23 to any appropriation account or fund of their Departments  
24 for obligation from that account or fund to which trans-  
25 ferred.

1       “(c) OBLIGATION OF TRANSFERRED AMOUNTS.—

2 Funds transferred under subsection (b) may only be obli-  
3 gated or expended from the account or fund to which  
4 transferred in order to carry out the functions of the Sec-  
5 retary of Defense or the Secretaries of the Military De-  
6 partments under this chapter or environmental restoration  
7 functions under any other provision of law.

8       “(d) AMOUNTS RECOVERED UNDER CERCLA.—

9 Amounts recovered under section 107 of CERCLA for re-  
10 sponse actions of the Secretary of Defense or a Secretary  
11 of a Military Department shall be credited to their respec-  
12 tive transfer account.

13       “(e) PAYMENTS OF FINES AND PENALTIES.—None

14 of the funds appropriated to the transfer account for fiscal  
15 years 1995 through 1999 may be used for the payment  
16 of a fine or penalty imposed against the Department of  
17 Defense unless the act of omission for which the fine or  
18 penalty is imposed arises out of an activity funded by the  
19 transfer account.

20       “(f) CONFORMING AMENDMENT.—Reference to the

21 ‘Defense Environmental Restoration Account’ elsewhere in  
22 the law shall be construed as referring to the ‘Environ-  
23 mental Restoration Account’ of the Department of De-  
24 fense and each of the military departments.”.

1 **SEC. 911. RECRUITING FUNCTIONS: USE OF FUNDS.**

2 (a) AUTHORITY.—Chapter 31 of title 10, United  
3 States Code, is amended by adding at the end the follow-  
4 ing new section:

5 **“§ 520c. Recruiting functions: use of funds**

6 “Under regulations prescribed by the Secretary con-  
7 cerned, funds appropriated to the Department of Defense,  
8 not to exceed \$2,000,000 annually, may be expended for  
9 small meals and snacks during recruiting functions for—

10 “(1) persons who have entered the Delayed  
11 Entry Program under section 513 of this chapter or  
12 other persons who are the subject of recruiting ef-  
13 forts by the regular and reserve components;

14 “(2) influential persons in communities who as-  
15 sist the military departments in their recruiting ef-  
16 forts;

17 “(3) military or civilian personnel whose attend-  
18 ance is mandatory at such functions.”; and

19 “(4) other persons whose presence at recruiting  
20 functions will contribute to recruiting efforts.”; and

21 (b) CLERICAL AMENDMENT.—The table of sections  
22 at the beginning of such chapter is amended by adding  
23 at the end the following new item:

“520c. Recruiting functions: use of funds.”.

1 **TITLE X—GENERAL PROVISIONS**

2 **Subtitle A—Financial Matters**

3 **SEC. 1001. REPEAL OF REQUIREMENT FOR SEPARATE**  
4 **BUDGET REQUEST FOR PROCUREMENT OF**  
5 **RESERVE EQUIPMENT.**

6 Section 114(e) of title 10, United States Code, is re-  
7 pealed.

8 **SEC. 1002. ACCEPTANCE OF SERVICES FOR DEFENSE PUR-**  
9 **POSE (DEFENSE COOPERATION ACCOUNT).**

10 Section 2608 of title 10, United States Code is  
11 amended—

12 (1) in subsection (a) by inserting after “money”  
13 “, services,”; and

14 (2) by amending subsection (k) to read as fol-  
15 lows:

16 “(k) the Secretary of Defense is required to establish  
17 written rules to carry out this section setting forth the  
18 criteria to be used in determining whether the acceptance  
19 of contributions of money, real property, personal prop-  
20 erty, or services would reflect unfavorably upon the ability  
21 of the Department of Defense or any employee to carry  
22 out its responsibilities or official duties in a fair and objec-  
23 tive manner, or would compromise the integrity or the ap-  
24 pearance of integrity of its programs or any official in-  
25 volved in those programs.”.

1 **SEC. 1003. DISPOSITION OF CERTAIN FUNDS ARISING OUT**  
2 **OF THE SALE OF CERTAIN ASSETS AT**  
3 **CLOSED MILITARY INSTALLATIONS.**

4 (a) BASE CLOSURES UNDER 1988 ACT.—Section  
5 204(b)(7) of the Defense Authorization Amendments and  
6 Base Closure and Realignment Act (title II to Public Law  
7 100–526, as amended; 10 U.S.C. 2687 note) is amend-  
8 ed—

9 (1) by striking out subsection (C)(i) and insert-  
10 ing in lieu thereof the following:

11 “(i) If any real property or facility ac-  
12 quired, constructed, or improved (in whole  
13 or in part) with commissary store funds or  
14 nonappropriated funds is transferred or  
15 disposed of in connection with the closure  
16 or realignment of a military installation  
17 under this part, a portion of the proceeds  
18 of the transfer or other disposal of prop-  
19 erty on that installation shall be deposited  
20 as follows:

21 “(I) In the case of proceeds from  
22 the transfer or other disposal of prop-  
23 erty acquired, constructed, or im-  
24 proved (in whole or in part) with com-  
25 missary store funds, the applicable  
26 portion shall be deposited in the com-

1           missary surcharge fund established  
2           pursuant to section 2685 of title 10,  
3           United States Code.

4           “(II) In the case of proceeds  
5           from the transfer or other disposal of  
6           property acquired, constructed, or im-  
7           proved (in whole or in part) with non-  
8           appropriated funds, the applicable  
9           portion shall be deposited in a De-  
10          partment of Defense nonappropriated  
11          fund account designated by the Sec-  
12          retary.”; and

13           (2) by redesignating subsection (C)(iii) as sub-  
14          section (C)(iv) and inserting the following new sub-  
15          section (C)(iii):

16                   “(iii) The Secretary may use  
17                   amounts—

18                           “(I) so deposited in the com-  
19                           missary surcharge fund for the pur-  
20                           pose of acquiring, constructing, and  
21                           improving commissary stores; and

22                           “(II) so deposited in the non-  
23                           appropriated fund account designated  
24                           by the Secretary for the purpose of  
25                           acquiring, constructing, and improv-



1                   ing real property and facilities for  
2                   nonappropriated fund instrumental-  
3                   ities.”.

4           (b) BASE CLOSURE UNDER 1990 ACT.—Section  
5 2906 of the Defense Base Closure and Realignment Act  
6 of 1990 (part A of title XXIX of Public Law 101–510,  
7 as amended; 10 U.S.C. 2687 note) is amended—

8                   (1) by striking out subsection (d)(1) and insert-  
9                   ing in lieu thereof the following:

10                   “(1) If any real property or facility acquired,  
11                   constructed, or improved (in whole or in part) with  
12                   commissary store funds or nonappropriated funds is  
13                   transferred or disposed of in connection with the clo-  
14                   sure or realignment of a military installation under  
15                   this part, a portion of the proceeds of the transfer  
16                   or other disposal of property on that installation  
17                   shall be deposited as follows:

18                   “(A) In the case of proceeds from the  
19                   transfer or other disposal of property acquired,  
20                   constructed, or improved (in whole or in part)  
21                   with commissary store funds, the applicable  
22                   portion shall be deposited in the commissary  
23                   surcharge fund established pursuant to 10  
24                   U.S.C. 2685.

1           “(B) In the case of proceeds from the  
 2           transfer or other disposal of property acquired,  
 3           constructed, or improved (in whole or in part)  
 4           with nonappropriated funds, the applicable por-  
 5           tion shall be deposited in a Department of De-  
 6           fense nonappropriated fund account designated  
 7           by the Secretary.”; and

8           (2) by striking out subsection (d)(3) and insert-  
 9           ing in lieu thereof the following:

10           “(3) The Secretary may use amounts—

11                   “(A) so deposited in the commissary sur-  
 12                   charge fund for the purpose of acquiring, con-  
 13                   structing, and improving commissary stores;  
 14                   and

15                   “(B) so deposited in the nonappropriated  
 16                   fund account designated by the Secretary for  
 17                   the purpose of acquiring, constructing, and im-  
 18                   proving real property and facilities for non-  
 19                   appropriated fund instrumentalities.”.

20           (c) BASE CLOSURES UNDER 1991 ACT.—Section  
 21           2921 of the National Defense Authorization Act for Fiscal  
 22           Year 1991 (Public Law 101–510, as amended; 10 U.S.C.  
 23           2687 note) is amended in subsection (d)(1)—

24                   (1) by striking out “in the reserve account es-  
 25                   tablished under section 204(b)(4)(C) of the Defense

1 Authorization Amendments and Base Closure and  
 2 Realignment Act” and inserting in lieu thereof “in  
 3 the commissary surcharge fund established pursuant  
 4 to section 2685 of title 10 United States Code or in  
 5 a Department of Defense nonappropriated fund ac-  
 6 count designated by the Secretary of Defense, con-  
 7 sistent with the source of the funds”; and

8 (2) by striking out the parenthetical “(in such  
 9 an aggregate amount as is provided in advance by  
 10 appropriation Acts)”.

11 (d) DEFINITION OF PROCEEDS.—For subsections  
 12 (a), (b), and (c) above, the term “proceeds” is the amount  
 13 in excess of the depreciated value from the sale of com-  
 14 missary or nonappropriated fund assets.

## 15 **Subtitle B—Civilian Personnel**

### 16 **SEC. 1011. EMPLOYMENT AND COMPENSATION PROVISIONS** 17 **FOR FACULTY MEMBERS AND LEADERSHIP** 18 **OF THE ASIA-PACIFIC CENTER FOR SECURITY** 19 **STUDIES.**

20 Section 1595 of title 10, United States Code, is  
 21 amended—

22 (1) in subsection (c) by adding at the end the  
 23 following new paragraph (4):

24 “(4) The Asia-Pacific Center for Security Stud-  
 25 ies.”; and

1           (2) by adding at the end of the section the fol-  
 2           lowing new subsection (f):

3           “(f) APPLICATION TO DIRECTOR AND DEPUTY DI-  
 4           RECTOR AT ASIA-PACIFIC CENTER FOR SECURITY STUD-  
 5           IES.—In the case of the Asia-Pacific Center for Security  
 6           Studies, this section also applies with respect to the Direc-  
 7           tor and the Deputy Director.”.

8   **SEC. 1012. EXCEPTED APPOINTMENT OF JUDICIAL NON-AT-**  
 9                           **TORNEY STAFF IN THE UNITED STATES**  
 10                          **COURT OF APPEALS FOR THE ARMED**  
 11                          **FORCES.**

12           Article 143(c) of the Uniform Code of Military Jus-  
 13           tice (10 U.S.C. 943(c)) is amended—

14           (1) in the catchline for the subsection by strik-  
 15           ing “attorney” and inserting in lieu thereof “cer-  
 16           tain”; and

17           (2) in paragraph (1) by inserting after “Court  
 18           of Appeals for the Armed Forces” “and non-attor-  
 19           ney positions established in a judge’s chambers”.

20   **SEC. 1013. CONVERSION OF MILITARY POSITIONS.**

21           Section 1032 of the National Defense Authorization  
 22           Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat.  
 23           429) is hereby repealed.

## **Subtitle C—Reporting Requirements**

### **SEC. 1020. NATIONAL GUARD AND RESERVE COMPONENT**

#### **EQUIPMENT: ANNUAL REPORT TO CONGRESS.**

Section 10541(b)(5)(A) of title 10, United States Code, is amended by striking out “, shown in accordance with deployment schedules and requirements over successive 30-day periods following mobilization”.

### **SEC. 1021. ANNUAL REPORT ON STRATEGIC DEFENSE INITIATIVE.**

Section 224 of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (10 U.S.C. 2431 note), is amended—

(1) by striking subsections (b)(3), (b)(4), (b)(7), (b)(9) and (b)(10); and

(2) by redesignating subsections (b)(5), (b)(6), and (b)(8), as (b)(3), (b)(4), and (b)(5), respectively.

### **SEC. 1022. REPEAL OF REPORT ON CONTRACTOR REIMBURSEMENT COSTS.**

Section 2706 of title 10, United States Code, is amended by striking out subsection (c) and by redesignating subsection (d) as subsection (c), respectively.

1 **SEC. 1023. REPEAL OF NOTICE REQUIREMENTS FOR SUB-**  
2 **STANTIAL OR SERIOUSLY AFFECTED PAR-**  
3 **TIES IN DOWNSIZING EFFORTS.**

4 Sections 4101 and 4201 of the National Defense Au-  
5 thorization Act for Fiscal Year 1991 (Public Law 101–  
6 510; 10 U.S.C. 2391 note) are hereby repealed.

7 **Subtitle D—Matters Relating to**  
8 **Other Nations**

9 **SEC. 1025. AUTHORIZATION FOR EXECUTION OF DEPART-**  
10 **MENT OF DEFENSE DEMINING PROGRAM.**

11 Section 401(c) of title 10, United States Code, is  
12 amended—

13 (1) by redesignating paragraph (2) as para-  
14 graph (3); and

15 (2) by inserting after paragraph (1) the follow-  
16 ing new paragraph (2):

17 “(2) In providing the assistance described in  
18 subsection (e)(5), such expenses for that assistance  
19 may include—

20 “(A) travel, transportation, and subsist-  
21 ence expenses of personnel participating in such  
22 activities; and

23 “(B) the cost of any equipment, supplies,  
24 and services acquired for the purpose of carry-  
25 ing out or supporting such activities, including  
26 any equipment, supplies, or services transferred

or otherwise provided to a foreign country or other organization in connection with the provision of assistance under this section.”.

## **Subtitle E—Other Matters**

### **SEC. 1030. NATIONAL DEFENSE TECHNOLOGY AND INDUSTRIAL BASE, DEFENSE REINVESTMENT, AND DEFENSE CONVERSION.**

(a) NATIONAL DEFENSE TECHNOLOGY AND INDUSTRIAL BASE COUNCIL.—Section 2502 of title 10, United States Code, is amended by striking out subsection (c)(3).

(b) NATIONAL DEFENSE PROGRAM FOR ANALYSIS OF THE TECHNOLOGY AND INDUSTRIAL BASE.—Section 2503 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

“(1) The Secretary of Defense shall establish a program for analysis of national technology and industrial base issues, policies, and programs.”; and

(B) by striking out paragraphs (2), (3), and (4);

(2) by striking out subsection (b);

(3) by redesignating subsection (c) as subsection (b);

(4) in subsection (c)(3)(A)—

1 (A) by striking out “the National Defense  
2 Technology and Industrial Base Council in”;  
3 and

4 (B) by striking out “and the periodic plans  
5 required by section 2506 of this title.”; and

6 (5) in subsection (c)(3), by striking subpara-  
7 graph (C).

8 (c) NATIONAL TECHNOLOGY AND INDUSTRIAL BASE:  
9 PERIODIC DEFENSE CAPABILITY ASSESSMENTS.—Section  
10 2505 of title 10, United States Code, is amended to read  
11 as follows:

12 **“§ 2505. National technology and industrial base:**  
13 **periodic defense capability assessments**

14 “(a) PERIODIC ASSESSMENT.—The Secretary of De-  
15 fense shall, in consultation with the Secretary of Com-  
16 merce, annually through fiscal year 1998, prepare selected  
17 assessments of the capability of the national technology  
18 and industrial base to attain national security require-  
19 ments.

20 “(b) ASSESSMENT PROCESS.—The Secretary of De-  
21 fense shall take action to ensure that technology and in-  
22 dustrial capability assessments prepared by the Depart-  
23 ment will—

24 “(1) describe sectors and their underlying infra-  
25 structure;



6       “(c) INTEGRATED PROCESS.—The Secretary of De-  
7   fense shall ensure that the technology and industrial base  
8   assessments are integrated into the Department of De-  
9   fense’s overall budget, acquisition, and logistics decision-  
10  making processes.”.

(d) DEPARTMENT OF DEFENSE TECHNOLOGY AND  
INDUSTRIAL BASE POLICY AND OVERSIGHT.—Section  
2506 of title 10, United States Code, is amended to read  
as follows:

15 **“§ 2506. Department of Defense technology and in-**  
16 **dustrial base policy and oversight**

“(a) DEPARTMENTAL GUIDANCE.—The Secretary of Defense shall prescribe Departmental guidance appropriate to implement the national security objectives of the President. The Secretary should also provide for senior-level Departmental oversight to ensure that technological and industrial capability issues are integrated into key decision processes for budget allocation, weapons acquisition, and logistics support.

1       “(b) REPORT TO CONGRESS.—The Secretary of De-  
2 fense shall report on the Department’s implementation of  
3 Departmental guidance in the annual report to Congress  
4 prepared pursuant to section 2508 of this title.”.

5       (e) ANNUAL REPORT TO CONGRESS.—Subchapter II  
6 of chapter 148 of title 10, United States Code, is amended  
7 by inserting after section 2507 the following new section:

8       **“§ 2508. Annual report to Congress**

9       “(a) The Secretary of Defense shall transmit an an-  
10 nual report to Congress in March 1997 and March 1998  
11 which shall include the following:

12               “(1) A description of the Department’s guid-  
13 ance prepared pursuant to section 2506 of this title.

14               “(2) A description of the various methods and  
15 analysis being undertaken to address technological  
16 and industrial concerns.

17               “(3) A description of the assessments used to  
18 develop the Department’s annual budget submission.

19               “(4) Identification of any programs designed to  
20 sustain essential technology and industrial capabili-  
21 ties.”.

22       (f) ENCOURAGEMENT OF TECHNOLOGY TRANS-  
23 FER.—Section 2514(c) of title 10, United States Code, is  
24 amended by striking out paragraph (5).

1 (g) MILITARY-CIVILIAN INTEGRATION AND TECH-  
2 NOLOGY TRANSFER ADVISORY BOARD.—Section 2516 of  
3 title 10, United States Code, is amended—

4 (1) by striking out “National Defense Tech-  
5 nology and Industrial Base Council” each place it  
6 appears and inserting in lieu thereof in each in-  
7 stance “Secretary of Defense”; and

8 (2) by striking out “Council” each place it ap-  
9 pears and inserting in lieu thereof in each instance  
10 “Secretary”.

11 (h) NATIONAL DEFENSE MANUFACTURING TECH-  
12 NOLOGY PROGRAM.—Section 2521 of title 10, United  
13 States Code, is amended—

14 (1) by striking out subsection (b);

15 (2) by redesignating subsection (c) as sub-  
16 section (b).

17 (i) CONFORMING AMENDMENTS.—Sections 4218,  
18 4219, and 4220 of the National Defense Authorization  
19 Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C.  
20 2501 note, 2505 note, and 2506 note) are repealed.

21 (j) CLERICAL AMENDMENTS.—The table of sections  
22 at the beginning of Subchapter II of chapter 148 of title  
23 10, United States Code, is amended—

24 (1) by amending the item relating to section  
25 2506 to read as follows:

“2506. Department of Defense technology and industrial base policy and oversight.”;

1           and

2                   (2) by adding at the end the following new  
3           item:

“2508. Annual report to Congress.”.

4 **SEC. 1031. RESTORATION OF AUTHORITY FOR CERTAIN**  
5 **INTRAGOVERNMENT TRANSFERS IN THE**  
6 **BASE CLOSURE AND REALIGNMENT PROC-**  
7 **ESS.**

8           Section 204(b)(2) of the Defense Authorization  
9 Amendments and Base Closure and Realignment Act of  
10 1988 (Public Law 100–256; 10 U.S.C. 2687 note), is  
11 amended—

12                   (1) by redesignating subparagraphs (D) and  
13           (E) as (E) and (F); and

14                   (2) by inserting before subparagraph (E), as re-  
15           designated, the following new subparagraph:

16                   “(D) The Secretary of Defense may trans-  
17           fer real property or facilities located at a mili-  
18           tary installation to be closed or realigned under  
19           this part, with or without reimbursement, to a  
20           military department or other entity (including a  
21           nonappropriated fund instrumentality) within  
22           the Department of Defense or the Coast  
23           Guard.”.

1 **SEC. 1032. CHEMICAL DEMILITARIZATION CITIZENS ADVI-**  
2 **SORY COMMISSIONS.**

3 Sections 172(b) and 172(f) of the National Defense  
4 Authorization Act for Fiscal Year 1993 (Public Law 102–  
5 484; 106 Stat. 2341) are amended by striking out “(In-  
6 stallations, Logistics and Environment)” and inserting in  
7 lieu thereof “(Research, Development and Acquisition)”.

8 **SEC. 1033. TRANSFER OF EXCESS PERSONAL PROPERTY TO**  
9 **SUPPORT LAW ENFORCEMENT AGENCIES.**

10 Section 1208 of the National Defense Authorization  
11 Act for Fiscal Years 1990 and 1991 (10 U.S.C. 372 note)  
12 is amended by striking out subsection (c).

13 **SEC. 1034. CONTROL OF TRANSPORTATION SYSTEMS IN**  
14 **TIME OF WAR.**

15 (a) TRANSFER OF ARMY SECTION TO GENERAL  
16 MILITARY LAW SECTION AND SHIFT RESPONSIBILITY TO  
17 SECRETARY OF DEFENSE.—Section 4742 of title 10,  
18 United States Code, is transferred to chapter 157, in-  
19 serted at the end, redesignated as section 2643, and  
20 amended by striking “the Secretary of the Army” insert-  
21 ing in lieu thereof “the Secretary of Defense”.

22 (b) CONFORMING REPEAL OF AIR FORCE PROVI-  
23 SION.—Section 9742 of such title 10 is hereby repealed.

24 (c) CLERICAL AMENDMENTS.—(1) the table of sec-  
25 tions at the beginning of chapter 447 of such title 10 is  
26 amended by striking the item relating to section 4742.

1       (2) The table of sections at the beginning of chapter  
 2 947 of such title 10 is amended by striking the item relat-  
 3 ing to section 9742.

4       (3) The tables of sections at the beginning of chapter  
 5 157 of such title 10 is amended by inserting after the item  
 6 relating to section 2642 the following new item:

“2643. Control of transportation systems in time of war.”.

7 **SEC. 1035. REDESIGNATION OF OFFICE OF NAVAL RECORDS**  
 8 **AND HISTORY GIFT FUND TO NAVAL HISTORI-**  
 9 **CAL CENTER FUND.**

10       Section 7222 of title 10, United States Code, is  
 11 amended—

12           (1) by striking out “Naval Records and History  
 13 gift fund” in the catchline for such section inserting  
 14 in lieu thereof “Naval Historical Center Fund”; and

15           (2) by striking out in subsections (a) and (c)  
 16 “Office of Naval Records and History” each place  
 17 such phrase occurs, and inserting in lieu thereof  
 18 “Naval Historical Center”.

19 **SEC. 1036. TRANSPORTATION BY COMMISSARIES AND EX-**  
 20 **CHANGES TO OVERSEAS LOCATIONS.**

21       (a) IN GENERAL.—Chapter 157 of title 10, United  
 22 States Code, is amended by repealing section 2643.

1 (b) CLERICAL AMENDMENT.—The table of sections  
 2 at the beginning of such chapter 157 is amended by strik-  
 3 ing the following item:

“2643. Commissary and exchange services: transportation overseas.”.

4 **SEC. 1037. AUTHORITY FOR THE SECRETARY OF DEFENSE**  
 5 **TO ENTER INTO COOPERATIVE AGREEMENTS**  
 6 **FOR THE MANAGEMENT OF CULTURAL RE-**  
 7 **SOURCES ON MILITARY INSTALLATIONS.**

8 (a) Chapter 159 of title 10, United States Code is  
 9 amended by adding the following new section at the end:  
 10 **“§ 2694. Cooperative Agreements for the management**  
 11 **of cultural resources**

12 “(a) AUTHORITY.—The Secretary of Defense or the  
 13 Secretary of a Military Department may enter into cooper-  
 14 ative agreements with States, local governments, or other  
 15 entities upon such terms considered in the public interest  
 16 for the preservation, management, maintenance, research,  
 17 and improvement of cultural resources on military instal-  
 18 lations.

19 “(b) CONTENT OF AGREEMENTS.—A cooperative  
 20 agreement entered into under this section shall be subject  
 21 to the availability of funds and shall not be considered,  
 22 nor treated as, a cooperative agreement to which chapter  
 23 63 of title 31 applies, and shall not subject to section  
 24 1535, of such title, provide for the Secretary of Defense  
 25 and the other party or parties to the agreement.

1       “(c) DEFINITION.—For the purpose of this section,  
 2 the term ‘cultural resource’ means any building, structure,  
 3 site, district, and object eligible for or included in the Na-  
 4 tional Register of Historic Places (16 U.S.C. 470a); a cul-  
 5 tural item as defined by section 2(3) of the Native Amer-  
 6 ican Graves Protection and Repatriation Act (104 Stat.  
 7 3048); an archaeological resource as defined by section 3  
 8 of the Archaeological Resources Protection Act of 1979  
 9 (16 U.S.C. 470bb(1)); and archaeological artifact collec-  
 10 tions and associated records as defined by section 79 of  
 11 title 36, Code of Federal Regulations 79.”.

12       (b) The table of sections for such chapter is amended  
 13 by inserting after the item relating to section 2693 the  
 14 following new item:

“2694. Cooperative Agreements for the management of cultural resources.”.

15 **SEC. 1038. MEDAL OF HONOR FOR AFRICAN AMERICAN**  
 16 **SOLDIERS WHO SERVED IN WORLD WAR II.**

17       (a) INAPPLICABILITY OF TIME LIMITATIONS.—Not-  
 18 withstanding the time limitation in section 3744(b) of title  
 19 10, United States Code, or any other time limitation, the  
 20 President may award the Medal of Honor to each person  
 21 identified in subsection (b), each of whom distinguished  
 22 himself conspicuously by gallantry and intrepidity at the  
 23 risk of his life above and beyond the call of duty while  
 24 serving in the United States Army during World War II.



1 (b) AFRICAN-AMERICANS TO RECEIVE THE MEDAL  
2 OF HONOR.—

3 (1) Vernon J. Baker, who served as a first lieu-  
4 tenant in the 370th Infantry Regiment, 92nd Infan-  
5 try Division.

6 (2) Edward A. Carter, who served as a staff  
7 sergeant in the 56th Armored Infantry Battalion,  
8 Twelfth Armored Division.

9 (3) John R. Fox, who served as a first lieuten-  
10 ant in the 366th Infantry Regiment, 92nd Infantry  
11 Division.

12 (4) Willy F. James, Jr., who served as a private  
13 first class in 413th Infantry Regiment, 104th Infan-  
14 try Division.

15 (5) Ruben Rivers, who served as a staff ser-  
16 geant in the 761st Tank Battalion.

17 (6) Charles L. Thomas, who served as a first  
18 lieutenant in the 614th Tank Destroyer Battalion.

19 (7) George Watson, who served as a private in  
20 the 29th Quartermaster Regiment.

21 (c) POSTHUMOUS AWARD.—The Medal of Honor may  
22 be awarded under this section posthumously, as provided  
23 in section 3752 of title 10, United States Code.

1 (d) PRIOR AWARD.—The Medal of Honor may be  
 2 awarded under this section for service for which a Distin-  
 3 guished Service Cross, or other award, has been awarded.

4 **SEC. 1039. PRESIDENTIAL INAUGURATION ASSISTANCE.**

5 (a) IN GENERAL.—Section 2543 of title 10, United  
 6 States Code, is amended to read as follows:

7 **“§ 2543. Presidential Inaugural Assistance**

8 “(a) FURNISHING OF MATERIALS, SUPPLIES, AND  
 9 SERVICES.—Notwithstanding any other provision of law,  
 10 the Secretary of Defense may lend materials and supplies,  
 11 and provide, on a reimbursable or nonreimbursable basis,  
 12 materials, supplies, and services of personnel—

13 “(1) to the Inaugural Committee established  
 14 under the first section of the Presidential Inaugural  
 15 Ceremonies Act (36 U.S.C. 721); and

16 “(2) to the joint committee of the Senate and  
 17 House of Representatives described in section 9 of  
 18 that Act (36 U.S.C. 729).

19 “(b) TERMS OF ASSISTANCE.—Assistance under sub-  
 20 section (a) shall be loaned or provided in such manner as  
 21 the Secretary of Defense determines to be appropriate and  
 22 under such conditions as the Secretary may prescribe.”.

23 (b) CLERICAL AMENDMENT.—The table of sections  
 24 at the beginning of subchapter II, chapter 152 of such  
 25 title is amended to read as follows:

“2543. Presidential Inauguration Assistance.”.

# TITLE XXI—ARMY

## SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

### Army: Inside the United States

State	Installation or Location	Total
California .....	Camp Roberts .....	\$5,500,000
	Naval Weapons Station, Concord .....	\$27,000,000
Colorado .....	Fort Carson .....	\$13,000,000
District of Columbia .....	Fort McNair .....	\$6,900,000
Georgia .....	Fort Benning .....	\$53,400,000
	Fort Stewart/Hunter Army Air Field.	\$6,000,000
Kansas .....	Fort Riley .....	\$26,000,000
Kentucky .....	Fort Campbell .....	\$51,100,000
Texas .....	Fort Hood .....	\$40,900,000
Washington .....	Fort Lewis .....	\$54,600,000
CONUS Classified .....	Classified Location .....	\$4,600,000
	Grand total .....	\$289,000,000

(b) OUTSIDE THE UNITED STATES.—Using amount appropriated pursuant to the authorization of appropriations in section 2104(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

**Army: Outside the United States**

<b>Country</b>	<b>Installation or location</b>	<b>Total</b>
Italy .....	Camp Ederle, Vincenza .....	\$3,100,000
Korea .....	Camp Casey .....	\$16,000,000
	Camp Red Cloud .....	\$14,000,000
Overseas Classified .....	Overseas Classified .....	\$64,000,000
	Grand total .....	\$97,100,000

**1 SEC. 2102. FAMILY HOUSING.**

2 (a) CONSTRUCTION AND ACQUISITION.—Using  
3 amounts appropriated pursuant to the authorization of ap-  
4 propriations in section 2104(a)(5)(A), the Secretary of the  
5 Army may construct or acquire family housing units (in-  
6 cluding land acquisition) at the installations, for the pur-  
7 poses, and in the amounts set forth in the following table:

**Army: Family Housing**

<b>State</b>	<b>Installation or loca- tion</b>	<b>Purpose</b>	<b>Total</b>
Hawaii .....	Schofield Barracks .....	54 Units .....	\$10,000,000
North Carolina .....	Fort Bragg .....	88 Units .....	\$9,800,000
Texas .....	Fort Hood .....	140 Units .....	\$18,500,000
		Grand total .....	\$38,300,000

8 (b) PLANNING AND DESIGN.—Using amounts appro-  
9 priated pursuant to the authorization of appropriations in  
10 section 2104(a)(5)(A), the Secretary of the Army may  
11 carry out architectural and engineering services and con-  
12 struction design activities with respect to the construction  
13 or improvement of family housing units in an amount not  
14 to exceed \$2,963,000.

1 **SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
2 **UNITS.**

3 Subject to section 2825 of title 10, United States  
4 Code, and using amounts appropriated pursuant to the  
5 authorization of appropriations in section 2104(a)(5)(A),  
6 the Secretary of the Army may improve existing military  
7 family housing units in an amount not to exceed  
8 \$33,750,000.

9 **SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

10 (a) IN GENERAL.—Funds are hereby authorized to  
11 be appropriated for fiscal years beginning after September  
12 30, 1996, for military construction, land acquisition, and  
13 military family housing functions of the Department of the  
14 Army in the total amount of \$1,722,202,000 as follows:

15 (1) For military construction projects inside the  
16 United States authorized by section 2101(a),  
17 \$289,000,000.

18 (2) For the military construction products out-  
19 side the United States authorized by section  
20 2101(b), \$97,100,000.

21 (3) For unspecified minor military construction  
22 projects authorized by section 2805 of title 10,  
23 United States Code, \$5,000,000.

24 (4) For architectural and engineering services  
25 and construction design under section 2807 of title

1       10, United States Code, \$43,623,000, which in-  
 2       cludes \$20,000,000 for Host Nation support.

3               (5) For military family housing functions:

4                       (A) For construction and acquisition, plan-  
 5                       ning and design, and improvement of military  
 6                       family housing and facilities, \$75,013,000.

7                       (B) For support of military family housing  
 8                       (including the functions described in section  
 9                       2833 of title 10, United States Code),  
 10                      \$1,212,466,000.

11       (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
 12 PROJECTS.—Notwithstanding the cost variations author-  
 13 ized by section 2853 of title 10, United States Code, and  
 14 any other cost variation authorized by law, the total cost  
 15 of all projects carried out under section 2101 of this Act  
 16 may not exceed the total amount authorized to be appro-  
 17 priated under paragraphs (1) and (2) of subsection (a).

## 18                               **TITLE XXII—NAVY**

### 19       **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND** 20                               **ACQUISITION PROJECTS.**

21       (a) INSIDE THE UNITED STATES.—Using amounts  
 22 appropriated pursuant to the authorization of appropria-  
 23 tions in section 2204(a)(1), the Secretary of the Navy may  
 24 acquire real property and carry out military construction  
 25 projects for the installations and locations inside the

1 United States, and in the amounts, set forth in the follow-  
2 ing table:

**Navy: Inside the United States**

State	Installation or Location	Total
Arizona .....	Navy Detachment, Camp Navajo .....	\$3,920,000
California .....	Marine Corps Air Station, Camp Pendleton.	\$6,240,000
	Marine Corps Air-Ground Combat Center, Twentynine Palms.	\$4,020,000
	Marine Corps Base, Camp Pendleton.	\$51,630,000
	Naval Air Station, North Island .....	\$86,502,000
	Naval Facility, San Clemente Island	\$17,000,000
	Naval Station, San Diego .....	\$7,050,000
	Naval Command Control & Ocean Surveillance Center, San Diego.	\$1,960,000
Connecticut .....	Naval Submarine Base, New London.	\$13,830,000
District of Columbia .....	Naval District, Washington .....	\$19,300,000
Florida .....	Naval Air Station, Key West .....	\$2,250,000
Hawaii .....	Naval Station, Pearl Harbor .....	\$19,600,000
	Naval Submarine Base, Pearl Harbor.	\$35,890,000
Idaho .....	Naval Surface Warfare Center, Bayview.	\$7,150,000
Illinois .....	Naval Training Center, Great Lakes	\$22,900,000
Maryland .....	Naval Air Warfare Center, Patuxent River.	\$1,270,000
North Carolina .....	Marine Corps Air Station, Cherry Point.	\$1,630,000
	Marine Corps Air Station, New River.	\$17,040,000
	Marine Corps Base, Camp LeJeune	\$20,750,000
Texas .....	Naval Station, Ingleside .....	\$16,850,000
	Naval Air Station, Kingsville .....	\$1,810,000
Virginia .....	Armed Forces Staff College, Norfolk	\$12,900,000
	Marine Corps Combat Dev Com, Quantico.	\$14,570,000
	Naval Station, Norfolk .....	\$35,520,000
Washington .....	Naval Station, Everett .....	\$25,740,000
CONUS Various .....	Defense Access Roads .....	\$300,000
	Grand Total .....	\$447,662,000

3 (b) OUTSIDE THE UNITED STATES.—Using amounts  
4 appropriated pursuant to the authorization of appropria-  
5 tions in section 2204(a)(2), the Secretary of the Navy may  
6 acquire real property and carry out military construction  
7 projects for the installations and locations outside the  
8 United States, and in the amounts, set forth in the follow-  
9 ing table:

**Navy: Outside the United States**

<b>Country</b>	<b>Installation or Location</b>	<b>Total</b>
Bahrain .....	Administrative Support Unit, Bahrain.	\$5,980,000
Greece .....	Naval Support Activity, Souda Bay	\$7,050,000
Italy .....	Naval Air Station, Sigonella .....	\$15,700,000
	Naval Support Activity, Naples .....	\$8,620,000
United Kingdom .....	Joint Maritime Communications Center, St. Mawgan.	\$4,700,000
	Grand Total .....	\$42,050,000

**1 SEC. 2202. FAMILY HOUSING.**

2 (a) CONSTRUCTION AND ACQUISITION.—Using  
3 amounts appropriated pursuant to the authorization of ap-  
4 propriations in section 2204(a)(6)(A), the Secretary of the  
5 Navy may construct or acquire family housing units (in-  
6 cluding land acquisition) at the installations, for the pur-  
7 poses, and in the amounts, set forth in the following table:

**Navy: Family Housing**

<b>State</b>	<b>Installation or Location</b>	<b>Purpose</b>	<b>Total</b>
Arizona .....	Marine Corps Air Station, Yuma.	Support .....	\$709,000
California .....	Marine Corps Base, Camp Pendleton.	128 Units .....	\$19,483,000
	Naval Air Station, Lemoore.	276 Units .....	\$39,837,000
	Navy Public Works Center, San Diego.	366 Units .....	\$48,719,000
	Marine Corps Air-Ground Combat Center, Twentynine Palms.	Support .....	\$2,938,000
Hawaii .....	Marine Corps Air Station, Kaneohe Bay.	54 Units .....	\$11,676,000
	Navy Public Works Center, Pearl Harbor.	264 Units .....	\$52,586,000
Maryland .....	Naval Air Warfare Center, Patuxent River.	Support .....	\$1,233,000
North Carolina .....	Marine Corps Base, Camp LeJeune.	Support .....	\$845,000
Virginia .....	AEGIS Combat Systems Center, Wallops Island.	20 Units .....	\$2,975,000
Washington .....	Naval Security Group Activity, Northwest.	Support .....	\$741,000
	Naval Station, Everett	100 Units .....	\$15,015,000
	Naval Submarine Base, Bangor.	Support .....	\$934,000
	Grand Total ....		\$197,691,000



1 (b) PLANNING AND DESIGN.—Using amounts appro-  
2 priated pursuant to the authorization of appropriation in  
3 section 2204(a)(6)(A), the Secretary of the Navy may  
4 carry out architectural and engineering services and con-  
5 struction design activities with respect to the construction  
6 or improvement of military family housing units in an  
7 amount not to exceed \$22,552,000.

8 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
9 **UNITS.**

10 Subject to section 2825 of title 10, United States  
11 Code, and using amounts appropriated pursuant to the  
12 authorization of appropriations in section 2204(a)(6)(A),  
13 the Secretary of the Navy may improve existing military  
14 family housing units in an amount not to exceed  
15 \$183,483,000.

16 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

17 (a) IN GENERAL.—Funds are hereby authorized to  
18 be appropriated for fiscal years beginning after September  
19 30, 1996, for military construction, land acquisition, and  
20 military family housing functions of the Department of the  
21 Navy in the total amount of \$1,943,313,000 as follows:

22 (1) For military construction projects inside the  
23 United States authorized by section 2201(a),  
24 \$447,622,000.

1           (2) For military construction projects outside  
2           the United States authorized by section 2201(b),  
3           \$42,050,000.

4           (3) For unspecified minor construction projects  
5           authorized by section 2805 of title 10, United States  
6           Code, \$5,115,000.

7           (4) For architectural and engineering services  
8           and construction design under section 2807 of title  
9           10, United States Code, \$42,559,000.

10          (5) For military construction projects which can  
11          be financed using unobligated prior-year appropria-  
12          tions, Authorization of Appropriations is reduced by  
13          \$12,000,000.

14          (6) For military family housing functions:

15                (A) For construction and acquisition, plan-  
16                ning and design and improvement of military  
17                family housing and facilities, \$403,726,000.

18                (B) For support of military housing (in-  
19                cluding functions described in section 2833 of  
20                title 10, United States Code), \$1,014,241,000.

21          (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
22          PROJECTS.—Notwithstanding the cost variations author-  
23          ized by section 2853 of title 10, United States Code, and  
24          any other cost variation authorized by law, the total cost  
25          of all projects carried out under section 2201 of this Act

1 may not exceed the total amount authorized to be appro-  
 2 priated under paragraphs (1) and (2) of subsection (a).

## 3 **TITLE XXIII—AIR FORCE**

### 4 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND** 5 **LAND ACQUISITION PROJECTS.**

6 (a) INSIDE THE UNITED STATES.—Using amounts  
 7 appropriated pursuant to the authorization of appropria-  
 8 tions in section 2304(a)(1), the Secretary of the Air Force  
 9 may acquire real property and carry out military construc-  
 10 tion projects for the installations and locations inside the  
 11 United States, and in the amounts, set forth in the follow-  
 12 ing table:

**Air Force: Inside the United States**

State	Installation or Location	Total
Alabama .....	Maxwell Air Force Base .....	\$7,875,000
Alaska .....	Elmendorf Air Force Base .....	\$21,530,000
Arizona .....	Davis-Monthan Air Force Base .....	\$9,920,000
Arkansas .....	Little Rock Air Force Base .....	\$18,105,000
California .....	Beale Air Force Base .....	\$14,425,000
	Edwards Air Force Base .....	\$20,080,000
	McClellan Air Force Base .....	\$8,795,000
	Travis Air Force Base .....	\$7,980,000
	Vandenberg Air Force Base .....	\$3,290,000
Colorado .....	Buckley Air National Guard Base ...	\$17,960,000
	Falcon Air Force Base .....	\$2,095,000
	Peterson Air Force Base .....	\$20,720,000
	US Air Force Academy .....	\$10,065,000
Delaware .....	Dover Air Force Base .....	\$7,980,000
Florida .....	Elgin Air Force Base .....	\$4,590,000
	Eglin Auxiliary Field 9 .....	\$6,825,000
	Patrick Air Force Base .....	\$2,595,000
Georgia .....	Robins Air Force Base .....	\$18,645,000
Idaho .....	Mountain Home Air Force Base .....	\$6,545,000
Kansas .....	McConnell Air Force Base .....	\$8,480,000
Louisiana .....	Barksdale Air Force Base .....	\$4,890,000
Maryland .....	Andrews Air Force Base .....	\$5,990,000
Mississippi .....	Keesler Air Force Base .....	\$14,465,000
Nevada .....	Indian Springs Air Force Auxiliary Air Field.	\$4,690,000
New Jersey .....	McGuire Air Force Base .....	\$8,080,000
North Carolina .....	Pope Air Force Base .....	\$5,915,000
	Seymour Johnson Air Force Base ...	\$11,280,000
North Dakota .....	Grand Forks Air Force Base .....	\$12,470,000
	Minot Air Force Base .....	\$3,940,000
Ohio .....	Wright-Patterson Air Force Base ....	\$7,400,000
Oklahoma .....	Tinker Air Force Base .....	\$9,880,000

**Air Force: Inside the United States**—Continued

State	Installation or Location	Total
South Carolina .....	Charleston Air Force Base .....	\$37,410,000
	Shaw Air Force Base .....	\$5,665,000
Tennessee .....	Arnold Engineering Development Center.	\$6,781,000
Texas .....	Dyess Air Force Base .....	\$5,895,000
	Kelly Air Force Base .....	\$3,250,000
	Lackland Air Force Base .....	\$9,413,000
	Sheppard Air Force Base .....	\$9,400,000
Utah .....	Hill Air Force Base .....	\$3,690,000
Virginia .....	Langley Air Force Base .....	\$8,005,000
Washington .....	Fairchild Air Force Base .....	\$18,155,000
	McChord Air Force Base .....	\$57,065,000
	Grand Total .....	\$472,229,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(2), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

**Air Force: Outside the United States**

Country	Installation or Location	Total
Germany .....	Ramstein Air Force Base .....	\$5,370,000
	Spangdahlem Air Base .....	\$1,890,000
Italy .....	Aviano Air Base .....	\$10,060,000
Korea .....	Osan Air Base .....	\$9,780,000
Turkey .....	Incirlik Air Base .....	\$7,160,000
United Kingdom .....	Royal Air Force, Croughton .....	\$1,740,000
	Royal Air Force, Lakenheath .....	\$17,525,000
	Royal Air Force, Mildenhall .....	\$6,195,000
Overseas Classified .....	Overseas Classified .....	\$18,395,000
	Grand Total .....	\$78,115,000

**SEC. 2302. FAMILY HOUSING.**

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(A), the Secretary of the Air Force may construct or acquire family housing units

1 (including land acquisition) at the installations, for the  
 2 purposes, and in the amounts set forth in the following  
 3 table:

**Air Force: Family Housing**

<b>State</b>	<b>Installation or Location</b>	<b>Purpose</b>	<b>Total</b>
Alaska .....	Eielson Air Force Base	72 Units .....	\$21,127,000
	.....	Support .....	\$2,950,000
California .....	Beale Air Force Base	56 Units .....	\$8,893,000
	Travis Air Force Base	70 Units .....	\$8,631,000
	Vandenberg Air Force Base.	112 Units .....	\$20,891,000
District of Columbia .....	Bolling Air Force Base	40 Units .....	\$5,000,000
Florida .....	Eglin Auxiliary Field 9	1 Units .....	\$249,000
	MacDill Air Force Base	56 Units .....	\$8,822,000
	Patrick Air Force Base	Support .....	\$2,430,000
Louisiana .....	Barksdale Air Force Base.	80 Units .....	\$9,570,000
Missouri .....	Whiteman Air Force Base.	68 Units .....	\$9,600,000
New Mexico .....	Kirtland Air Force Base.	50 Units .....	\$5,450,000
North Dakota .....	Grand Forks Air Force Base.	66 Units .....	\$7,784,000
	Minot Air Force Base	46 Units .....	\$8,740,000
Texas .....	Lackland Air Force Base.	50 Units .....	\$6,500,000
	.....	Support .....	\$800,000
Washington .....	McChord Air Force Base.	40 Units .....	\$5,659,000
		Grand Total ....	\$133,096,000

4 (b) PLANNING AND DESIGN.—Using amounts appro-  
 5 priated pursuant to the authorization of appropriations in  
 6 section 2304(a)(5)(A), the Secretary of the Air Force may  
 7 carry out architectural and engineering services and con-  
 8 struction design activities with respect to the construction  
 9 or improvement of military family housing units in an  
 10 amount not to exceed \$9,590,000.

1 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
2 **UNITS.**

3 Subject to section 2825 of title 10, United States  
4 Code, and using amounts appropriated pursuant to the  
5 authorization of appropriations in section 2304(a)(5)(A),  
6 the Secretary of the Air Force may improve existing mili-  
7 tary family housing units in an amount not to exceed  
8 \$88,550,000.

9 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**  
10 **FORCE.**

11 (a) IN GENERAL.—Funds are hereby authorized to  
12 be appropriated for fiscal years beginning after September  
13 30, 1996, for military construction, land acquisition, and  
14 military family housing functions of the Department of the  
15 Air Force in the total amount of \$1,663,769,000 as fol-  
16 lows:

17 (1) For military construction projects inside the  
18 United States authorized by section 2301(a),  
19 \$472,229,000.

20 (2) For military construction projects outside  
21 the United States authorized by section 2301(b),  
22 \$78,115,000.

23 (3) For unspecified minor construction projects  
24 authorized by section 2805 of title 10, United States  
25 Code, \$9,328,000.

1           (4) For architectural and engineering services  
 2           and construction design under section 2807 of title  
 3           10, United States Code, \$43,387,000.

4           (5) For military housing functions:

5                 (A) For construction and acquisition, plan-  
 6                 ning and design and improvement of military  
 7                 family housing and facilities, \$231,236,000.

8                 (B) For support of military family housing  
 9                 (including the functions described in section  
 10                2833 of title 10, United States Code),  
 11                \$829,474,000.

12       (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
 13 PROJECTS.—Notwithstanding the cost variations author-  
 14 ized by section 2853 of title 10, United States Code, and  
 15 any other cost variation authorized by law, the total cost  
 16 of all projects carried out under section 2301 of this Act  
 17 may not exceed the total amount authorized to be appro-  
 18 priated under paragraphs (1) and (2) of subsection (a).

## 19                   **TITLE XXIV—DEFENSE** 20                   **AGENCIES**

21       **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**  
 22                   **TION AND LAND ACQUISITION PROJECTS.**

23       (a) INSIDE THE UNITED STATES.—Using amounts  
 24 appropriated pursuant to the authorization of appropria-  
 25 tions in section 2406(a)(1), the Secretary of Defense may

- 1 acquire real property and carry out military construction  
 2 projects for the installations and locations inside the  
 3 United States, and in the amounts, set forth in the follow-  
 4 ing table:

**Defense Agencies: Inside the United States**

<b>Agency</b>	<b>Installation or location</b>	<b>Total</b>
Chemical Demilitarization ..... Defense Finance & Account- ing Service.	Pueblo Army Depot, Colorado .....	\$179,000,000
	Charleston, South Carolina .....	\$6,200,000
	Gentile Air Force Station, Ohio .....	\$11,400,000
	Griffis Air Force Base, New York ...	\$10,200,000
	Loring Air Force Base, Maine .....	\$6,900,000
	Naval Training Center, Orlando, Florida.	\$2,600,000
	Norton Air Force Base, California	\$13,800,000
	Offutt Air Force Base, Nebraska ....	\$7,000,000
	Rock Island Arsenal, Illinois .....	\$14,400,000
	Bolling Air Force Base, District of Columbia.	\$6,790,000
Defense Intelligence Agency		
Defense Logistics Agency .....	Altus Air Force Base, Oklahoma ....	\$3,200,000
	Andrews Air Force Base, Maryland	\$12,100,000
	Barksdale Air Force Base, Louisi- ana.	\$4,300,000
	Defense Construction Supply Cen- ter, Columbus, Ohio.	\$600,000
	Defense Distribution San Diego, California.	\$15,700,000
	Elmendorf Air Force Base, Alaska	\$18,000,000
	McConnell Air Force Base, Kansas	\$2,200,000
	Naval Air Facility, El Centro, Cali- fornia.	\$5,700,000
	Naval Air Station, Fallon, Nevada	\$2,100,000
	Naval Air Station, Oceana, Virginia	\$1,500,000
	Shaw Air Force Base, South Caro- lina.	\$2,900,000
	Travis Air Force Base, California ....	\$15,200,000
	Andrews Air Force Base Maryland	\$15,500,000
	Charleston Air Force Base, South Carolina.	\$1,300,000
	Fort Bliss, Texas .....	\$6,600,000
Defense Medical Facilities Office.	Fort Bragg, North Carolina .....	\$11,400,000
	Fort Hood, Texas .....	\$1,950,000
	Marine Corps Base, Camp Pendle- ton, California.	\$3,300,000
	Maxwell Air Force Base, Alabama ...	\$25,000,000
	Naval Air Station, Key West, Flor- ida.	\$15,200,000
	Naval Air Station, Norfolk, Virginia	\$1,250,000
	Naval Air Station, Lemoore, Califor- nia.	\$38,000,000
	Fort George Meade, Maryland .....	\$25,200,000
	Fort Bragg, North Carolina .....	\$14,000,000
National Security Agency .....		
Special Operations Command		



**Defense Agencies: Inside the United States**—Continued

<b>Agency</b>	<b>Installation or location</b>	<b>Total</b>
	Fort Campbell, Kentucky .....	\$4,200,000
	Naval Amphibious Base, Coronado, California.	\$7,700,000
	Naval Station, Ford Island, Pearl Harbor, Hawaii.	\$12,800,000
	Grand Total .....	\$525,190,000

1       (b) OUTSIDE THE UNITED STATES.—Using amounts  
2 appropriated pursuant to the authorization of appropria-  
3 tions in section 2406(a)(2), the Secretary of Defense may  
4 acquire real property and carry out military construction  
5 projects for the installations and locations outside the  
6 United States, and in the amounts, set forth in the follow-  
7 ing table:

**Defense Agencies: Outside the United States**

<b>Agency</b>	<b>Installation or Location</b>	<b>Total</b>
Defense Logistics Agency .....	Moron Air Base, Spain .....	\$12,958,000
.....	Naval Air Station, Sigonella, Italy ...	\$6,100,000
Defense Medical Facilities Office.	Administrative Support Unit, Bahrain, Bahrain.	\$4,600,000
	Grand Total .....	\$23,658,000

8 **SEC. 2402. MILITARY HOUSING PLANNING AND DESIGN.**

9       Using amounts appropriated pursuant to the author-  
10 ization of appropriation in section 2406(a)(14)(A), the  
11 Secretary of Defense may carry out architectural and en-  
12 gineering services and construction design activities with  
13 respect to the construction or improvement of military  
14 family housing units in an amount not to exceed  
15 \$500,000.

1 **SEC. 2403. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
2 **UNITS.**

3 Subject to section 2825 of title 10, United States  
4 Code, and using amounts appropriated pursuant to the  
5 authorization of appropriation in section 2406(a)(14)(A),  
6 the Secretary of Defense may improve existing military  
7 family housing units in an amount not to exceed  
8 \$3,871,000.

9 **SEC. 2404. MILITARY HOUSING IMPROVEMENT PROGRAM.**

10 (a) AVAILABILITY OF FUNDS FOR INVESTMENT.—Of  
11 the amount authorized to be appropriated pursuant to sec-  
12 tion 2406(a)(14)(C), \$20,000,000 shall be available for  
13 crediting to the Department of Defense Family Housing  
14 Improvement Fund established by section 2883(a)(1) of  
15 title 10, United States Code.

16 (b) USE OF FUNDS.—The Secretary of Defense may  
17 use funds credited to the Department of Defense Family  
18 Housing Improvement Fund under subsection (a) to carry  
19 out any activities authorized by subchapter IV of chapter  
20 169 of such title with respect to military family housing.

21 **SEC. 2405. ENERGY CONSERVATION PROJECTS.**

22 Using amounts appropriated pursuant to the author-  
23 ization of appropriations in section 2406(a)(12), the Sec-  
24 retary of Defense may carry out energy conservation  
25 projects under section 2865 of title 10, United States  
26 Code.

1 **SEC. 2406. AUTHORIZATION OF APPROPRIATIONS, DE-**  
2 **FENSE AGENCIES.**

3 (a) IN GENERAL.—Funds are hereby authorized to  
4 be appropriated for fiscal years beginning after September  
5 30, 1996, for military construction, land acquisition, and  
6 military family housing functions of the Department of  
7 Defense (other than the military departments), in the total  
8 amount of \$3,411,936,000 as follows:

9 (1) For military construction projects inside the  
10 United States authorized by section 2401(a),  
11 \$362,087,000.

12 (2) For military construction projects outside  
13 the United States authorized by section 2401(a),  
14 \$23,658,000.

15 (3) For military construction projects at Naval  
16 Hospital, Portsmouth, Virginia, hospital replace-  
17 ment, authorized by section 2401(a) of the Military  
18 Construction Authorization Act for Fiscal Years  
19 1990 and 1991 (division B of Public Law 101–189,  
20 103 Stat. 1640), \$24,000,000.

21 (4) For military construction projects at Walter  
22 Reed Army Institute of Research, Maryland, hospital  
23 replacement, authorized by section 2401(a) of the  
24 Military Construction Authorization Act for Fiscal  
25 Year 1993 (division B of Public Law 102–484; 106  
26 Stat. 2599), \$92,000,000.

1           (5) For military construction projects at Fort  
2       Bragg, North Carolina, hospital replacement, au-  
3       thorized by section 2401(a) of the Military Construc-  
4       tion Authorization Act for Fiscal Year 1993 (divi-  
5       sion B of Public Law 102-484; 106 Stat. 2599),  
6       \$89,000,000.

7           (6) For military construction projects at Pine  
8       Bluff Arsenal, Arkansas, authorized by section  
9       2401(a) of the Military Construction Authorization  
10      Act for Fiscal Year 1995 (division B of Public Law  
11      103-337; 108 Stat. 3040), \$46,000,000.

12          (7) For military construction projects at  
13      Umatilla Army Depot, Oregon, authorized by section  
14      2401(a) of the Military Construction Authorization  
15      Act for Fiscal Year 1995 (division B of Public Law  
16      103-337; 108 Stat. 3040), \$64,000,000.

17          (8) For military construction projects at De-  
18      fense Finance and Accounting Service, Columbus,  
19      Ohio, authorized by section 2401(a) of the Military  
20      Construction Authorization Act of Fiscal Year 1996  
21      (division B of Public Law 104-106; Stat??),  
22      \$20,822,000.

23          (9) For unspecified minor construction projects  
24      under section 2805 of title 10, United States Code,  
25      \$21,874,000.

1           (10) For contingency construction projects of  
2           the Secretary of Defense under section 2804 of title  
3           10, United States Code, \$9,500,000.

4           (11) For architectural and engineering services  
5           and construction design under section 2807 of title  
6           10, United States Code, \$12,239,000.

7           (12) For Energy Conservation projects author-  
8           ized by section 2405, \$47,765,000.

9           (13) For base closure and realignment activities  
10          as authorized by the Defense Base Closure and Re-  
11          alignment Act of 1990 (part A of title XXIX of  
12          Public Law 101–510; 10 U.S.C. 2687 note),  
13          \$2,507,476,000.

14          (14) For military family housing functions:

15                (A) For improvement and planning of mili-  
16                tary family housing and facilities, \$4,371,000.

17                (B) For support of military housing (in-  
18                cluding functions described in section 2833 of  
19                title 10, United States Code), \$30,963,000, of  
20                which not more than \$25,637,000 may be obli-  
21                gated or expended for the leasing of military  
22                family housing units worldwide.

23                (C) For the Family Housing Improvement  
24                Fund as authorized by section 2404(a),  
25                \$20,000,000.

1 (D) For the Homeowners Assistance Pro-  
2 gram as authorized by section 2832 of title 10,  
3 United States Code, \$36,181,000, to remain  
4 available until expended.

5 (b) LIMITATION OF TOTAL COST OF CONSTRUCTION  
6 PROJECTS.—Notwithstanding the cost variation author-  
7 ized by section 2853 of title 10, United States Code, and  
8 any other cost variations authorized by law, the total cost  
9 of all projects carried out under section 2401 of this Act  
10 may not exceed—

11 (1) the total amount authorized to be appro-  
12 priated under paragraphs (1) and (2) of subsection  
13 (a);

14 (2) \$161,503,000 (the balance of the amount  
15 authorized under section 2401(a) for the construc-  
16 tion of a chemical demilitarization facility at Pueblo  
17 Army Depot in Colorado); and

18 (3) \$1,600,000 (the balance of the amount au-  
19 thorized under section 2401(a) for the construction  
20 of a Medical/Dental clinic replacement, Key West  
21 Naval Air Station, Florida).

1 **TITLE XXV—NORTH ATLANTIC**  
2 **TREATY ORGANIZATION SE-**  
3 **CURITY INVESTMENT PRO-**  
4 **GRAM**

5 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**  
6 **ACQUISITION PROJECTS.**

7       The Secretary of Defense may make contributions for  
8 the North Atlantic Treaty Organization Security Invest-  
9 ment Program as provided in section 2806 of title 10,  
10 United States Code, in an amount not to exceed the sum  
11 of the amount authorized to be appropriated for this pur-  
12 pose in section 2502 and the amount collected from the  
13 North Atlantic Treaty Organization as a result of con-  
14 struction previously financed by the United States.

15 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

16       Funds are hereby authorized to be appropriated for  
17 fiscal years beginning after September 30, 1996, for con-  
18 tributions by the Secretary of Defense under section 2806  
19 of title 10, United States Code, for the share of the United  
20 States of the cost of projects for the North Atlantic Treaty  
21 Security Investment Program as authorized by section  
22 2501, in the amount of \$197,000,000.

**TITLE XXVI—GUARD AND  
RESERVE FORCES FACILITIES**

**SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

There are authorized to be appropriated for fiscal years beginning after September 30, 1996, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 133 of title 10, United States Code (including the cost of acquisition of land for those facilities), the following amounts:

(1) For the Department of the Army—

(A) for the Army National Guard of the United States, \$7,600,000; and

(B) for the Army Reserve, \$48,459,000.

(2) For the Department of the Navy, for the Naval and Marine Corps Reserve, \$10,983,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, \$75,394,000; and

(B) for the Air Force Reserve, \$51,655,000.



1 **SEC. 2602. AUTHORIZATION OF CONSTRUCTION PROJECTS**  
2 **TO BE FUNDED WITH PREVIOUS-YEAR AP-**  
3 **PROPRIATIONS.**

4 The following projects and architectural and engi-  
5 neering services and construction design are authorized  
6 using prior year appropriations:

7 (1) Army National Guard:

8 (A) Hastings Training Range, Nebraska,  
9 Modified Record Fire and Multipurpose Ma-  
10 chine Gun Range, \$1,250,000.

11 (B) Bismarck, North Dakota, Aviation  
12 Support Facility and Armory Complex Expans-  
13 sion, \$3,650,000.

14 (C) Of the total amount required for archi-  
15 tectural and engineering services and construc-  
16 tion design, \$1,800,000 is authorized using  
17 prior appropriations.

18 **TITLE XXVII—EXPIRATION AND**  
19 **EXTENSION OF AUTHORIZA-**  
20 **TIONS**

21 **SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND**  
22 **AMOUNTS REQUIRED TO BE SPECIFIED BY**  
23 **LAW.**

24 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE  
25 YEARS.—Except as provided in subsection (b), all author-  
26 izations contained in titles XXI through XXVI for military

1 construction projects, land acquisition, family housing  
2 projects and facilities, and contributions to the North At-  
3 lantic Treaty Organization Infrastructure program (and  
4 authorizations of appropriations therefor) shall expire on  
5 the later of—

6 (1) October 1, 1999; or

7 (2) the date for the enactment of an Act au-  
8 thorizing funds for military construction for fiscal  
9 year 2000.

10 (b) EXCEPTION.—Subsection (a) shall not apply to  
11 authorizations for military construction projects, land ac-  
12 quisition, family housing projects and facilities, and con-  
13 tributions to the North Atlantic Treaty Organization In-  
14 frastructure program (and authorizations of appropria-  
15 tions therefor), for which appropriated funds have been  
16 obligated before the later of—

17 (1) October 1, 1999; or

18 (2) the date of the enactment of an Act author-  
19 izing funds for fiscal year 2000 for military con-  
20 struction projects, land acquisition, family housing  
21 projects and facilities, or contributions to the North  
22 Atlantic Treaty Organization Security Investment  
23 Program.

**1 SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN**  
**2 FISCAL YEAR 1994 PROJECTS.**

3 (a) EXTENSIONS.—Notwithstanding section 2701 of  
 4 the Military Construction Authorization Act for Fiscal  
 5 Year 1994 (division B of Public Law 103–160, 107 Stat.  
 6 1880), authorizations for the projects set forth in the ta-  
 7 bles in subsection (b), as provided in title XXI, XXII, and  
 8 XXIII of that Act, shall remain in effect until October  
 9 1, 1997, or the date of the enactment of an Act authoriz-  
 10 ing funds for military construction for fiscal year 1998,  
 11 whichever is later.

12 (b) TABLES.—The tables referred to in subsection (a)  
 13 are as follows:

**Army: Extension of 1994 Project Authorizations**

State	Installation or Location	Project	Amount
New Jersey .....	Picatinny Arsenal .....	Advance War- head Devel- opment Fa- cility.	\$4,400,000
North Carolina .....	Fort Bragg .....	Land Acquisi- tion.	\$15,000,000
Wisconsin .....	Fort McCoy .....	Family Hous- ing Construc- tion (16 Units).	\$2,950,000

**Navy: Extension of 1994 Project Authorizations**

State	Installation or Location	Project	Amount
California .....	Camp Pendleton Ma- rine Corps Base.	Sewage Facility	\$7,930,000
Connecticut .....	New London Naval Submarine Base.	Hazardous Waste Trans- fer Facility.	\$1,450,000
New Jersey .....	Earle Naval Weapons Station.	Explosives Holding Yard.	\$1,290,000
Virginia .....	Oceana Naval Air Sta- tion.	Jet Engine Test Cell Re- placement.	\$5,300,000
Various .....	Various Locations .....	Land Acquisi- tion Inside The U.S.	\$540,000

**Navy: Extension of 1994 Project Authorizations**—Continued

State	Installation or Location	Project	Amount
Various .....	Various Locations .....	Land Acquisition Outside The U.S.	\$800,000

**Air Force: Extension of 1994 Project Authorizations**

State/Country	Installation or Location	Project	Amount
Alaska .....	Eielson Air Force Base	Upgrade Water Treatment Plant.	\$3,750,000
	Elmendorf Air Force Base.	Corrosion Control Facility.	\$5,975,000
California .....	Beale Air Force Base	Educational Center.	\$3,150,000
Florida .....	Tyndall Air Force Base	Base Supply Logistics Center.	\$2,600,000
Mississippi .....	Keesler Air Force Base	Upgrade Student Dormitory.	\$4,500,000
North Carolina .....	Pope Air Force Base ...	Add To And Alter Dormitories.	\$4,300,000
Virginia .....	Langley Air Force Base	Fire Station ....	\$3,850,000

1 **SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN**  
2 **FISCAL YEAR 1993 PROJECTS.**

3 (a) EXTENSIONS.—Notwithstanding section 2701 of  
4 the Military Construction Authorization Act for Fiscal  
5 Year 1993 (division B of Public Law 102–484, 106 Stat.  
6 2602), authorizations for the projects set forth in the ta-  
7 bles in subsection (b), as provided in section 2101, 2301,  
8 or 2601 of that Act or in section 2201 of that Act and  
9 extended by the Military Construction Authorization Act  
10 for Fiscal Year 1996, shall remain in effect until October  
11 1, 1997, or the date of the enactment of an Act authoriz-  
12 ing funds for military construction for fiscal year 1998,  
13 whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

**Army: Extension of 1993 Project Authorizations**

State/Country	Installation or Location	Project	Amount
Arkansas .....	Pine Bluff Arsenal .....	Ammunition Support Facility.	\$15,000,000

**Air Force: Extension of 1993 Project Authorizations**

State/Country	Installation or Location	Project	Amount
Portugal .....	Lajes Field .....	Water Wells ....	\$865,000

**SEC. 2704. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1992 PROJECTS.**

(a) EXTENSIONS.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1992 (division B of Public Law 102–190 105 Stat. 1535), authorizations for the projects set forth in the tables in subsection (b), as provided in title XXI of that Act and extended by the Military Construction Authorization Act for Fiscal Year 1995 and the Military Construction Authorization Act for Fiscal Year 1996, shall remain in effect until October 1, 1997, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 1998, whichever is later.

(b) TABLES.—The tables referred to in subsection (a) are as follows:

**Army: Extension of 1992 Project Authorizations**

<b>State/Country</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
Oregon .....	Umatilla Army Depot	Ammunition Demilitarization Support Facility.	\$3,600,000
	Umatilla Army Depot	Ammunition Demilitarization Utilities.	\$7,500,000

**1 SEC. 2705. EFFECTIVE DATE.**

2 Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI  
3 shall take effect on the later of—

4 (1) October 1, 1996; or

5 (2) the date of the enactment of this Act.

6 **TITLE XXVIII—GENERAL**  
7 **PROVISIONS**

8 **Subtitle A—Military Construction**  
9 **Program and Military Family**  
10 **Housing Changes**

11 **SEC. 2801. INFLATIONARY ADJUSTMENTS TO MINOR CON-**  
12 **STRUCTION AUTHORITY.**

13 (a) ACTIVE COMPONENT UNSPECIFIED MINOR CON-  
14 STRUCTION USING OPERATION AND MAINTENANCE  
15 FUNDS.—Section 2805(c)(1) of title 10, United States  
16 Code, is amended by striking out “\$300,000” and insert-  
17 ing in lieu thereof “\$350,000”.

18 (b) RESERVE COMPONENT UNSPECIFIED MINOR  
19 CONSTRUCTION.—Section 18233a(a)(1) of title 10,

1 United States Code, is amended by striking out  
2 “\$400,000” and inserting in lieu thereof “\$1,500,000”.

3 (c) RESERVE COMPONENT UNSPECIFIED MINOR  
4 CONSTRUCTION USING OPERATION AND MAINTENANCE  
5 FUNDS.—Section 18233a(b) of title 10, United States  
6 Code, is amended by striking out “\$300,000” and insert-  
7 ing in lieu thereof “\$350,000”.

8 **SEC. 2802. IMPROVEMENTS TO FAMILY HOUSING UNITS.**

9 (a) AUTHORITY.—Section 2825(a)(2) of title 10,  
10 United States Code, is amended—

11 (1) by inserting “major” before “maintenance”;  
12 and

13 (2) by inserting “(excluding day-to-day mainte-  
14 nance and repair)” before “to be accomplished”.

15 (b) LIMITATION.—Section 2825(b)(2) of title 10,  
16 United States Code, is amended—

17 (1) by striking out “repairs” and inserting in  
18 lieu thereof “major maintenance or repair work (ex-  
19 cluding day-to-day maintenance and repair)”;

20 (2) by inserting “, out of the five-foot line of a  
21 housing unit,” before “in connection with (A)”; and

22 (3) by inserting “, drives,” after “roads”.

1       **Subtitle B—Base Closure and**  
2       **Realignment and Environment**

3       **SEC. 2805. CONTRACTING FOR CERTAIN SERVICES AT FA-**  
4                   **CILITIES       REMAINING       ON       CLOSED**  
5                   **INSTALLATIONS.**

6       (a)   AUTHORITY   UNDER   1988   ACT.—Section  
7   204(b)(8)(A) of the Defense Authorization Amendments  
8   and Base Closure and Realignment Act (Title II of Public  
9   Law 100–526; 10 U.S.C. 2687 note), is amended by in-  
10   serting “or at facilities remaining on installations closed  
11   under this title” after “under this title”.

12       (b)   AUTHORITY   UNDER   1990   ACT.—Section  
13   2905(b)(8)(A) of the Defense Base Closure and Realign-  
14   ment Act of 1990 (part A of Title XXIX of Public Law  
15   101–510; 10 U.S.C. 2687 note), is amended by inserting  
16   “or at facilities remaining on installations closed under  
17   this part” after “under this part”.

18       **SEC. 2806. PAYMENT OF STIPULATED PENALTIES ASSESSED**  
19                   **UNDER CERCLA.**

20       The Secretary of Defense may pay from funds appro-  
21   priated to the Department of Defense Base Closure Ac-  
22   count (Part II), not more than \$50,000 as payment of  
23   stipulated civil penalties assessed under the Comprehen-  
24   sive Environmental Response, Compensation, and Liabil-



1 ity Act of 1980 (42 U.S.C. 9601 et seq.) against Loring  
2 Air Force Base, Maine.

### 3       **Subtitle C—Land Conveyance**

#### 4       **SEC. 2807. TRANSFER OF UTILITY SYSTEMS AT BLUEGRASS** 5               **ARMY DEPOT, KENTUCKY.**

6       (a) **AUTHORITY TO CONVEY.**—The Secretary of the  
7 Army may convey to the City of Richmond, Kentucky  
8 (hereinafter the “City”), or to Madison County (herein-  
9 after the “County”), all right, title, and interest of the  
10 United States in and to a parcel of real property located  
11 at Blue Grass Army Depot, Kentucky, consisting of ap-  
12 proximately        acres, and all improvements located  
13 thereon. The parcel is improved with a sewage treatment  
14 plant, sludge disposal facilities, and a sewage collection  
15 system.

16       (b) **RELATED EASEMENTS.**—The Secretary may also  
17 grant to the City or the County any easement that is nec-  
18 essary for access to the real property conveyed under sub-  
19 section a. for operation and maintenance of the facilities  
20 located thereon.

21       (c) **REQUIREMENT RELATING TO CONVEYANCE.**—  
22 The Secretary may not exercise the authority granted by  
23 subsection a. unless and until the City or the County  
24 agrees to accept all improvements in their existing condi-  
25 tions at the time of conveyance.

1 (d) CONDITION OF CONVEYANCE.—The conveyance  
2 authorized by subsection a. is subject to the following con-  
3 ditions:

4 (1) That the City or the County provide water  
5 service to Blue Grass Army Depot, Kentucky at a  
6 rate mutually agreed upon by the Secretary and the  
7 City or the County and approved by the appropriate  
8 Federal or State regulatory authority.

9 (2) That the City or the County comply with all  
10 applicable environmental laws and regulations (in-  
11 cluding any permit or license requirements) in the  
12 operation and maintenance of the improvements.

13 (3) That the City or the County assume full re-  
14 sponsibility for operation, maintenance, and repair  
15 of the improvements and for compliance with all ap-  
16 plicable regulatory requirements.

17 (4) That the City or the County not commence  
18 any expansion of the improvements without the prior  
19 approval of the Secretary.

20 (e) DESCRIPTION OF PROPERTY.—The exact legal  
21 description of the real property to be conveyed under sub-  
22 section a., including the improvements located thereon,  
23 and of any easements granted under subsection b., shall  
24 be determined by a survey and other means satisfactory  
25 to the Secretary. The cost of such survey and other serv-

ices performed at the direction of the Secretary under the authority of this subsection, shall be borne by the City or the County.

(f) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection a. and the grant of any easement under subsection b. as the Secretary considers appropriate to protect the interests of the United States.

**SEC. 2808. TRANSFER OF UTILITY SYSTEMS AT CAMP PARKS, CALIFORNIA.**

(a) **AUTHORITY TO CONVEY.**—The Secretary of the Army may convey to the Dublin San Ramon Services District, California (hereinafter the “District”), all right, title, and interest of the United States in and to a parcel of real property located at Camp Parks, California consisting of approximately                  acres, and all improvements located thereon. The parcel is improved with a water treatment plant and a water distribution system with storage tanks.

(b) **RELATED EASEMENTS.**—The Secretary may also grant to the District any easement that is necessary for access to the real property conveyed under subsection a. for operation and maintenance of the facilities located thereon.

1       (c) REQUIREMENT RELATING TO CONVEYANCE.—

2   The Secretary may not exercise the authority granted by  
3   subsection a. unless and until the District agrees to accept  
4   all improvements in their existing conditions at the time  
5   of conveyance.

6       (d) CONDITION OF CONVEYANCE.—The conveyance  
7   authorized by subsection a. is subject to the following con-  
8   ditions:

9           (1) That the District provide water service to  
10   Camp Parks, California at a rate mutually agreed  
11   upon by the Secretary and the District and approved  
12   by the appropriate Federal or State regulatory au-  
13   thority.

14          (2) That the District comply with all applicable  
15   environmental laws and regulations (including any  
16   permit or license requirements) in the operation and  
17   maintenance of the improvements.

18          (3) That the District assume full responsibility  
19   for operation, maintenance, and repair of the im-  
20   provements and for compliance with all applicable  
21   regulatory requirements.

22          (4) That the District not commence any expan-  
23   sion of the improvements without the prior approval  
24   of the Secretary.

1 (e) DESCRIPTION OF PROPERTY.—The exact legal  
2 description of the real property to be conveyed under sub-  
3 section a., including the improvements located thereon,  
4 and of any easements granted under subsection b., shall  
5 be determined by a survey and other means satisfactory  
6 to the Secretary. The cost of such survey and other serv-  
7 ices performed at the direction of the Secretary under the  
8 authority of this subsection, shall be borne by the District.

9 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-  
10 retary may require such additional terms and conditions  
11 in connection with the conveyance under subsection a. and  
12 the grant of any easement under subsection b. as the Sec-  
13 retary considers appropriate to protect the interests of the  
14 United States.

15 **SEC. 2809. TRANSFER OF UTILITY SYSTEMS AT FORT LEAV-**  
16 **ENWORTH, KANSAS.**

17 (a) AUTHORITY TO CONVEY.—The Secretary of the  
18 Army may convey to the City of Leavenworth, Kansas  
19 (hereinafter the “City”), all right, title, and interest of the  
20 United States in and to a parcel of real property located  
21 at Fort Leavenworth, Kansas, consisting of approximately  
22 acres, and all improvements located thereon. The  
23 parcel is improved with a water treatment plant and a  
24 water distribution system with storage tanks.

1       (b) RELATED EASEMENTS.—The Secretary may also  
2 grant to the City any easement that is necessary for access  
3 to the real property conveyed under subsection a. for oper-  
4 ation and maintenance of the facilities located thereon.

5       (c) REQUIREMENT RELATING TO CONVEYANCE.—  
6 The Secretary may not exercise the authority granted by  
7 subsection a. unless and until the City agrees to accept  
8 all improvements in their existing conditions at the time  
9 of conveyance.

10       (d) CONDITION OF CONVEYANCE.—The conveyance  
11 authorized by subsection a. is subject to the following con-  
12 ditions:

13           (1) That the City provide water service to Fort  
14 Leavenworth, Kansas at a rate mutually agreed  
15 upon by the Secretary and the City and approved by  
16 the appropriate Federal or State regulatory author-  
17 ity.

18           (2) That the City comply with all applicable en-  
19 vironmental laws and regulations (including any per-  
20 mit or license requirements) in the operation and  
21 maintenance of the improvements.

22           (3) That the City assume full responsibility for  
23 operation, maintenance, and repair of the improve-  
24 ments and for compliance with all applicable regu-  
25 latory requirements.

1           (4) That the City not commence any expansion  
2           of the improvements without the prior approval of  
3           the Secretary.

4           (e) DESCRIPTION OF PROPERTY.—The exact legal  
5           description of the real property to be conveyed under sub-  
6           section a., including the improvements located thereon,  
7           and of any easements granted under subsection b., shall  
8           be determined by a survey and other means satisfactory  
9           to the Secretary. The cost of such survey and other serv-  
10          ices performed at the direction of the Secretary under the  
11          authority of this subsection shall be borne by the City.

12          (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-  
13          retary may require such additional terms and conditions  
14          in connection with the conveyance under subsection a. and  
15          the grant of any easement under subsection b. as the Sec-  
16          retary considers appropriate to protect the interests of the  
17          United States.

18       **SEC. 2810. TRANSFER OF UTILITY SYSTEMS AT FORT LEWIS,**  
19                               **WASHINGTON.**

20          (a) AUTHORITY TO CONVEY.—The Secretary of the  
21          Army may convey to Pierce County, Washington (herein-  
22          after the “County”), all right, title, and interest of the  
23          United States in and to a parcel of real property located  
24          at Fort Lewis, Washington, consisting of approximately  
25          acres, and all improvements located thereon. The

1 parcel is improved with a sewage treatment plant, sludge  
2 disposal facilities, and a sewage collection system.

3 (b) RELATED EASEMENTS.—The Secretary may also  
4 grant to the County any easement that is necessary for  
5 access to the real property conveyed under subsection a.  
6 for operation and maintenance of the facilities located  
7 thereon.

8 (c) REQUIREMENT RELATING TO CONVEYANCE.—  
9 The Secretary may not exercise the authority granted by  
10 subsection a. unless and until the County agrees to accept  
11 all improvements in their existing conditions at the time  
12 of conveyance.

13 (d) CONDITION OF CONVEYANCE.—The conveyance  
14 authorized by subsection a. is subject to the following con-  
15 ditions:

16 (1) That the County provide water service to  
17 Fort Lewis, Washington at a rate mutually agreed  
18 upon by the Secretary and the County and approved  
19 by the appropriate Federal or State regulatory au-  
20 thority.

21 (2) That the County comply with all applicable  
22 environmental laws and regulations (including any  
23 permit or license requirements) in the operation and  
24 maintenance of the improvements.



1           (3) That the County assume full responsibility  
2           for operation, maintenance, and repair of the im-  
3           provements and for compliance with all applicable  
4           regulatory requirements.

5           (4) That the County not commence any expan-  
6           sion of the improvements without the prior approval  
7           of the Secretary.

8           (e) DESCRIPTION OF PROPERTY.—The exact legal  
9           description of the real property to be conveyed under sub-  
10          section a., including the improvements located thereon,  
11          and of any easements granted under subsection b., shall  
12          be determined by a survey and other means satisfactory  
13          to the Secretary. The cost of such survey and other serv-  
14          ices performed at the direction of the Secretary under the  
15          authority of this subsection shall be borne by the County.

16          (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-  
17          retary may require such additional terms and conditions  
18          in connection with the conveyance under subsection a. and  
19          the grant of any easement under subsection b. as the Sec-  
20          retary considers appropriate to protect the interests of the  
21          United States.

22       **SEC. 2811. TRANSFER OF UTILITY SYSTEMS AT FORT**  
23       **MEADE, MARYLAND.**

24          (a) AUTHORITY TO CONVEY.—The Secretary of the  
25          Army may convey to the City of Odenton, Maryland (here-

1 in after the “City”), all right, title, and interest of the  
2 United States in and to a parcel of real property located  
3 at Fort Meade, Maryland, consisting of approximately  
4        acres, and all improvements located thereon. The  
5 parcel is improved with a water treatment plant, a water  
6 distribution system with storage tanks, a wastewater  
7 treatment plant, and a wastewater collection system.

8        (b) RELATED EASEMENTS.—The Secretary may also  
9 grant to the City any easement that is necessary for access  
10 to the real property conveyed under subsection a. for oper-  
11 ation and maintenance of the facilities located thereon.

12        (c) REQUIREMENT RELATING TO CONVEYANCE.—  
13 The Secretary may not exercise the authority granted by  
14 subsection a. unless and until the City agrees to accept  
15 all improvements in their existing conditions at the time  
16 of conveyance.

17        (d) CONDITION OF CONVEYANCE.—The conveyance  
18 authorized by subsection a. is subject to the following con-  
19 ditions:

20                (1) That the City provide water service to Fort  
21 Meade, Maryland at a rate mutually agreed upon by  
22 the Secretary and the City and approved by the ap-  
23 propriate Federal or State regulatory authority.

24                (2) That the City comply with all applicable en-  
25 vironmental laws and regulations (including any per-

1       mit or license requirements) in the operation and  
2       maintenance of the improvements.

3           (3) That the City assume full responsibility for  
4       operation, maintenance, and repair of the improve-  
5       ments and for compliance with all applicable regu-  
6       latory requirements.

7           (4) That the City not commence any expansion  
8       of the improvements without the prior approval of  
9       the Secretary.

10       (e) DESCRIPTION OF PROPERTY.—The exact legal  
11       description of the real property to be conveyed under sub-  
12       section a., including the improvements located thereon,  
13       and of any easements granted under subsection b., shall  
14       be determined by a survey and other means satisfactory  
15       to the Secretary. The cost of such survey and other serv-  
16       ices performed at the direction of the Secretary under the  
17       authority of this subsection shall be borne by the City.

18       (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-  
19       retary may require such additional terms and conditions  
20       in connection with the conveyance under subsection a. and  
21       the grant of any easement under subsection b. as the Sec-  
22       retary considers appropriate to protect the interests of the  
23       United States.

1 **SEC. 2812. TRANSFER OF UTILITY SYSTEMS AT FORT MON-**  
2 **MOUTH, NEW JERSEY.**

3 (a) **AUTHORITY TO CONVEY.**—The Secretary of the  
4 Army may convey to Monmouth County, New Jersey  
5 (hereinafter the “County”), all right, title, and interest of  
6 the United States in and to a parcel of real property lo-  
7 cated at Fort Monmouth, New Jersey, consisting of ap-  
8 proximately                acres, and all improvements located  
9 thereon. The parcel is improved with a water treatment  
10 plant, a water distribution system with storage tanks, a  
11 sewage treatment plant, and a sewage collection system.

12 (b) **RELATED EASEMENTS.**—The Secretary may also  
13 grant to the County any easement that is necessary for  
14 access to the real property conveyed under subsection a.  
15 for operation and maintenance of the facilities located  
16 thereon.

17 (c) **REQUIREMENT RELATING TO CONVEYANCE.**—  
18 The Secretary may not exercise the authority granted by  
19 subsection a. unless and until the County agrees to accept  
20 all improvements in their existing conditions at the time  
21 of conveyance.

22 (d) **CONDITION OF CONVEYANCE.**—The conveyance  
23 authorized by subsection a. is subject to the following con-  
24 ditions:

25 (1) That the County provide water service to  
26 Fort Monmouth, New Jersey at a rate mutually

1       agreed upon by the Secretary and the County and  
2       approved by the appropriate Federal or State regu-  
3       latory authority.

4           (2) That the County comply with all applicable  
5       environmental laws and regulations (including any  
6       permit or license requirements) in the operation and  
7       maintenance of the improvements.

8           (3) That the County assume full responsibility  
9       for operation, maintenance, and repair of the im-  
10      provements and for compliance with all applicable  
11      regulatory requirements.

12          (4) That the County not commence any expan-  
13      sion of the improvements without the prior approval  
14      of the Secretary.

15      (e) DESCRIPTION OF PROPERTY.—The exact legal  
16      description of the real property to be conveyed under sub-  
17      section a., including the improvements located thereon,  
18      and of any easements granted under subsection b., shall  
19      be determined by a survey and other means satisfactory  
20      to the Secretary. The cost of such survey and other serv-  
21      ices performed at the direction of the Secretary under the  
22      authority of this subsection, shall be borne by the County.

23      (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-  
24      retary may require such additional terms and conditions  
25      in connection with the conveyance under subsection a. and

1 the grant of any easement under subsection b. as the Sec-  
2 retary considers appropriate to protect the interests of the  
3 United States.

4 **SEC. 2813. TRANSFER OF UTILITY SYSTEMS AT HUNTER**  
5 **ARMY AIR FIELD, FORT STEWART, GEORGIA.**

6 (a) **AUTHORITY TO CONVEY.**—The Secretary of the  
7 Army may convey to the City of Hinesville, Georgia (here-  
8 inafter the “City”), all right, title, and interest of the  
9 United States in and to a parcel of real property located  
10 at Hunter Army Air Field, Fort Stewart, Georgia, consist-  
11 ing of approximately                acres, and all improvements  
12 located thereon. The parcel is improved with a sewage  
13 treatment plant, sludge disposal facilities, and a sewage  
14 collection system.

15 (b) **RELATED EASEMENTS.**—The Secretary may also  
16 grant to the City any easement that is necessary for access  
17 to the real property conveyed under subsection a. for oper-  
18 ation and maintenance of the facilities located thereon.

19 (c) **REQUIREMENT RELATING TO CONVEYANCE.**—  
20 The Secretary may not exercise the authority granted by  
21 subsection a. unless and until the City agrees to accept  
22 all improvements in their existing conditions at the time  
23 of conveyance.

1 (d) CONDITION OF CONVEYANCE.—The conveyance  
2 authorized by subsection a. is subject to the following con-  
3 ditions:

4 (1) That the City provide water service to Hun-  
5 ter Army Air Field, Fort Stewart, Georgia at a rate  
6 mutually agreed upon by the Secretary and the City  
7 and approved by the appropriate Federal or State  
8 regulatory authority.

9 (2) That the City comply with all applicable en-  
10 vironmental laws and regulations (including any per-  
11 mit or license requirements) in the operation and  
12 maintenance of the improvements.

13 (3) That the City assume full responsibility for  
14 operation, maintenance, and repair of the improve-  
15 ments and for compliance with all applicable regu-  
16 latory requirements.

17 (4) That the City not commence any expansion  
18 of the improvements without the prior approval of  
19 the Secretary.

20 (e) DESCRIPTION OF PROPERTY.—The exact legal  
21 description of the real property to be conveyed under sub-  
22 section a., including the improvements located thereon,  
23 and of any easements granted under subsection b., shall  
24 be determined by a survey and other means satisfactory  
25 to the Secretary. The cost of such survey and other serv-

1 ices performed at the direction of the Secretary under the  
 2 authority of this subsection shall be borne by the City.

3 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-  
 4 retary may require such additional terms and conditions  
 5 in connection with the conveyance under subsection a. and  
 6 the grant of any easement under subsection b. as the Sec-  
 7 retary considers appropriate to protect the interests of the  
 8 United States.

9 **SEC. 2814. EASEMENTS FOR RIGHTS-OF-WAY.**

10 Section 2668(a) of title 10, United States Code is  
 11 amended—

12 (1) by striking out “and” at the end of para-  
 13 graph (9);

14 (2) by redesignating paragraph (10) as para-  
 15 graph (12);

16 (3) by inserting the following two new para-  
 17 graphs after paragraph (9):

18 “(10) poles and lines for the transmission and  
 19 distribution of electrical power;

20 “(11) poles and lines for communication pur-  
 21 poses, and for radio, television, and other forms of  
 22 communication transmitting, relay, and receiving  
 23 structures and facilities; and”;



(4) at the end of paragraph (12), as redesignated by this section, by striking out “or by the Act of March 4, 1911 (43 U.S.C. 961)”.

## **Subtitle D—Other Matters**

### **SEC. 2815. INSTALLATION AND OWNERSHIP OF ELECTRICAL DISTRIBUTION SYSTEM AT YOUNGSTOWN AIR RESERVE STATION, OHIO.**

(a) FINDING.—The Congress finds that it would be advantageous to the United States to consider, as a test program, utilizing non-governmental entities to provide certain utility services at Youngstown Air Reserve Station, Ohio.

(b) AUTHORIZATION.—The Secretary of the Air Force is authorized to enter into an agreement with a local electric utility or private company to have the utility or company install, operate, and maintain a new electrical distribution system, satisfactory to both the Secretary and the utility or company, at Youngstown Air Reserve Station.

(c) AGREEMENT.—The agreement between the Air Force and the utility or company may contain the following terms and conditions:

(1) The Air Force may provide the company with such licenses or easements as the Air Force de-

1       termines necessary for the installation, operation,  
2       and maintenance of the new distribution system.

3           (2) The resulting electrical distribution system  
4       may be the property of the company but any rates  
5       for utilities or other services provided by the com-  
6       pany to the Government shall not include the cost of  
7       installing the new distribution system as authorized  
8       by this Act.

9           (3) Such other terms and conditions as the Sec-  
10      retary considers appropriate to protect the interests  
11      of the United States.

12      (d) SOURCE OF FUNDS.—The Secretary may use  
13      funds authorized in Title XXIII, Division B, of the Na-  
14      tional Defense Authorization Act for Fiscal Year 1996  
15      (Public Law 104–106) and appropriated in the Military  
16      Construction Appropriations Act, 1996 (Public Law 104–  
17      32) for the purpose of rebuilding the electrical distribution  
18      system at Youngstown Air Reserve Station, to pay the cost  
19      of acquiring the services of the company in accordance  
20      with this Act.

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