Public Law 86-166

August 18, 1959
[H. R. 7454]

AN ACT

**Making appropriations for the Department of Defense for the fiscal year ending June 30, 1960, and for other purposes.**

Department of Defense Appropriation Act, 1960.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1960, for military functions administered by the Department of Defense, and for other purposes, namely:

## TITLE I

## MILITARY PERSONNEL

### MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except those undergoing reserve training), expenses of apprehension and delivery of deserters, prisoners, and members absent without leave, including payment of rewards of not to exceed $25 in any one case, $3,233,063,000, and, in addition, $281,000,000, to be derived by transfer from the Army Stock Fund.

### MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except those undergoing reserve training), midshipmen and aviation cadets, and expenses of apprehension and delivery of deserters, prisoners, and members absent without leave, including payment of rewards of not to exceed $25 in any one case, $2,476,700,000, and, in addition, $75,000,000, to be derived by transfer from the Navy stock fund.

### MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except those undergoing reserve training), and expenses of apprehension and delivery of deserters, prisoners, and members absent without leave, including payment of rewards of not to exceed $25 in any one case, $620,600,000, and, in addition, $24,000,000, to be derived by transfer from the Marine Corps stock fund: *Provided*, That $32,700,000 of the funds provided in this appropriation shall be available only to meet the increased expenses necessary to maintain the Regular Marine Corps at the strength provided for in this Act.

AUTHENTICATED
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MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except those undergoing reserve training), cadets and aviation cadets, and expenses of apprehension and delivery of deserters, prisoners, and members absent without leave, including payment of rewards of not to exceed $25 in any one case, $3,912,000,000, and, in addition, $50,000,000, to be derived by transfer from the Air Force stock fund.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, as authorized by law, $231,700,000: *Provided*, That $29,700,000 of the funds provided in this appropriation shall be available only to meet the increased expenses necessary to maintain the Army Reserve at the strength provided for in this Act.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Naval Reserve on active duty while undergoing reserve training, or while performing drills or equivalent duty, regular and contract enrollees in the Naval Reserve Officers' Training Corps, and retainer pay, as authorized by law, $88,000,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve and the Marine Corps platoon leaders class on active duty while undergoing reserve training, or while performing drills or equivalent duty, as authorized by law, $24,300,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty while undergoing reserve training or while performing drills or equivalent duty, and for members of the Air Reserve Officers' Training Corps, as authorized by law, $54,000,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 265 of title 10, United States Code, or while undergoing training or while performing drills or equivalent duty, as authorized by law, $234,961,000: *Provided*, That obligations may be incurred under this appropriation for the foregoing expenses for training of units designated for early deployment under mobilization plans or for antiaircraft defense of the United States and Hawaii without regard to section 107 of title 32, United States Code: *Provided further*, That the Army National Guard shall be maintained at an average strength of not less than four hundred thousand for the fiscal year 1960: *Provided further*, That $43,000,000 of the funds

provided in this appropriation shall be available only to meet the increased expenses necessary to maintain the Army National Guard at the strength provided for in this Act.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under sections 265, 8033, and 8496 of title 10, United States Code, or while undergoing training or while performing drills or equivalent duty, as authorized by law, $48,000,000: *Provided*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code.

70A Stat. 11, 491, 524.

70A Stat. 599.

RETIRED PAY, DEPARTMENT OF DEFENSE

For retired pay and retirement pay, as authorized by law, of military personnel on the retired lists of the Army, Navy, Marine Corps, and the Air Force, including the reserve components thereof, retainer pay for personnel of the inactive Fleet Reserve, and payments under the Uniformed Services Contingency Option Act of 1953, $715,000,000.

70A Stat. 683. 37 USC 371-381 notes.

## TITLE II

## OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, including administration; medical and dental care of personnel entitled thereto by law or regulation (including charges of private facilities for care of military personnel on duty or leave, except elective private treatment), and other measures necessary to protect the health of the Army; care of the dead; chaplains' activities; awards and medals; welfare and recreation; information and educational services for the Armed Forces; recruiting expenses; meals furnished under contract for selective service registrants called for induction and applicants for enlistment while held under observation; subsistence of prisoners at disciplinary barracks, and of civilian employees as authorized by law; expenses of apprehension and delivery of prisoners escaped from disciplinary barracks, including payment of rewards not exceeding $25 in any one case, and expenses of confinement of such prisoners in nonmilitary facilities; donations of not to exceed $25 to each prisoner upon each release from confinement in a disciplinary barracks; military courts, boards, and commissions; authorized issues of articles for use of applicants for enlistment and persons in military custody; civilian clothing, not to exceed $40 in cost, to be issued each person upon each release from confinement in an Army or contract prison and to each soldier discharged for unsuitability, inaptitude, or otherwise than honorably, or sentenced by a civil court to confinement in a civil prison, or interned or discharged as an alien enemy; transportation services; communications services, including construction of communication systems; maps and similar data for military purposes; military surveys and engineering planning; contracts for maintenance of reserve tools and facilities for twelve months beginning at any time during the current fiscal year; repair of facilities; utility services for buildings erected at private cost, as authorized by law (10 U.S.C. 4778), and buildings on military reservations authorized by Army

70A Stat. 270.

regulations to be used for a similar purpose; purchase of ambulances; hire of passenger motor vehicles; tuition and fees incident to training of military personnel at civilian institutions; field exercises and maneuvers, including payments in advance for rentals or options to rent land; expenses for the Reserve Officers' Training Corps and other units at educational institutions, as authorized by law; exchange fees, and losses in the accounts of disbursing officers or agents in accordance with law; expenses of inter-American cooperation, as authorized for the Navy by law (10 U.S.C. 7208) for Latin-American cooperation; not to exceed $5,855,000 for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, and his determination shall be final and conclusive upon the accounting officers of the Government; $3,075,390,000: *Provided*, That $24,300,000 of the funds provided in this appropriation shall be available only to meet the increased expenses necessary to maintain the Army National Guard at the strength provided for in this Act: *Provided further*, That $24,500,000 of the funds provided in this appropriation shall be available only to meet the increased expenses necessary to maintain the Army Reserve at the strength provided for in this Act.

70A Stat. 443.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, including aircraft and vessels; modification of aircraft; design and alteration of vessels; training and education of members of the Navy; administration; procurement of military personnel; purchase (not to exceed one thousand one hundred and seventeen for replacement only, including ten at not to exceed $2,900 each) and hire of passenger motor vehicles; not to exceed $40 per person for civilian clothing, including an overcoat when necessary, for enlisted personnel discharged for inaptitude, unsuitability, or otherwise than honorably; welfare and recreation; medals, awards, emblems and other insignia; transportation of things (including transportation of household effects of civilian employees); industrial mobilization; medical and dental care; care of the dead; lease of facilities; Latin-American cooperation; charter and hire of vessels; relief of vessels in distress; maritime salvage services; military communications facilities on merchant vessels; dissemination of scientific information; administration of patents, trademarks, copyrights; losses in exchange and in accounts of disbursing officers, as authorized by law; annuity premiums and retirement benefits for civilian members of teaching services; tuition, allowances, and fees incident to training of military personnel at civilian institutions; repair of facilities; departmental salaries; utility services for buildings erected at private cost as authorized by law (10 U.S.C. 7580), and buildings on military reservations authorized by Navy regulations to be used for welfare and recreational purposes; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment and welfare expenses for the enlisted men; cryptographic equipment; procurement and production of services, special clothing, supplies, and equipment; procurement of plant equipment, appliances, and machine tools, and installation thereof in public or private plants; exploration, prospecting, conservation, development, use, and operation of the naval petroleum reserves, as authorized by law; not to exceed $12,325,000 for emergency and extraordinary expenses, as authorized by section 7202 of title 10, United States Code, to be expended on the approval and authority of the Secretary and his de-

70A Stat. 470.

70A Stat. 442.

termination shall be final and conclusive upon the accounting officers of the Government; and support of the town of Olongapo, as authorized by law; $2,611,220,000, of which $975,000 shall be transferred to the appropriation "Salaries and expenses," Weather Bureau, Department of Commerce, fiscal year 1960, and $16,885,000 shall be transferred to the appropriation "Operating expenses", Coast Guard, fiscal year 1960, for the operation of ocean stations: *Provided*, That $5,900,000 of the funds provided in this appropriation shall be available only to meet the increased expenses necessary to maintain the Regular Marine Corps at the strength provided for in this Act.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, necessary for the operation and maintenance of the Marine Corps including equipment and facilities; procurement of military personnel; training and education of regular and reserve personnel, including tuition and other costs incurred at civilian schools; welfare and recreation; utility services for buildings erected at private cost as authorized by law, and buildings on military reservations authorized by Navy regulations to be used for welfare and recreational purposes; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment and welfare expenses for the enlisted men; not to exceed $40 per person for civilian clothing, including an overcoat when necessary, for enlisted personnel discharged for inaptitude or unsuitability or otherwise than honorably; procurement and manufacture of military supplies, equipment and clothing; hire of passenger motor vehicles; transportation of things; medals, awards, emblems and other insignia; losses in exchange and in accounts of disbursing officers, as authorized by law; and departmental salaries; $175,850,000: *Provided*, That $4,500,000 of the funds provided in this appropriation shall be available only to meet the increased expenses necessary to maintain the Regular Marine Corps at the strength provided for in this Act.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation, maintenance, and administration of the Air Force, including the Air Force Reserve and the Air Reserve Officers' Training Corps; operation, maintenance, and modification of aircraft and missiles; transportation of things; repair and maintenance of facilities; field printing plants; hire of passenger motor vehicles; recruiting advertising expenses; training and instruction of military personnel of the Air Force, including tuition and related expenses; pay, allowances, and travel expenses of contract surgeons; utility services for buildings erected at private cost as authorized by law (10 U.S.C. 9778), and buildings on military reservations authorized by Air Force regulations to be used for welfare and recreational purposes; rental of land or purchase of options to rent land without reference to section 3648, Revised Statutes, as amended, use or repair of private property, and other necessary expenses of combat maneuvers; civilian clothing not to exceed $40 in cost for each person upon each release from a military prison, each enlisted man discharged for unsuitability, inaptitude, or otherwise than honorably, each enlisted man sentenced by a civil court to confinement in a civil prison, and each enlisted man interned, or discharged without internment as a alien enemy; authorized issues of articles for use of applicants for enlistment and persons in military custody; exchange fees, and losses or deficiencies in the accounts of disbursing officers and their agents, as authorized by law; care of the dead; chaplain and other welfare and

70A Stat. 591.

31 USC 529.

morale supplies and equipment; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment, and welfare expenses for enlisted men and patients not otherwise provided for; awards and decorations; expenses of courts, boards, and commissions; expenses for inter-American cooperation as authorized for the Navy by section 7208 of title 10, United States Code, for Latin-American cooperation; industrial mobilization, including maintenance of reserve plants and equipment and procurement planning; special services by contract or otherwise; rations (including commutation thereof) for applicants for enlistment; and not to exceed $6,200,000 for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, and his determination shall be final and conclusive upon the accounting officers of the Government; $4,195,006,000, of which not to exceed $16,000,000 shall be available for the operation and maintenance of the Air Force Academy.

70A Stat. 443.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing and administering the Army National Guard, including maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personal services in the National Guard Bureau and services of personnel of the National Guard employed as civilians without regard to their military rank, and the number of caretakers authorized to be employed under provisions of law (32 U.S.C. 709) may be such as is deemed necessary by the Secretary of the Army; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard of the several States, Territories, and the District of Columbia, as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft); $151,700,000: *Provided*, That obligations may be incurred under this appropriation for the foregoing expenses for training of units designated for early deployment under mobilization plans and for installation, maintenance, and operation of facilities for antiaircraft defense without regard to section 107 of title 32, United States Code: *Provided further*, That obligations not exceeding $10,000 for each project may be incurred for extension, modification, and alteration of armory facilities, as authorized by chapter 133, title 10, United States Code, as amended, when such changes to facilities are made necessary by military requirements of the Federal Government: *Provided further*, That of the amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955 (31 U.S.C. 200) as having been obligated under the appropriations for "Army National Guard", 1958, and "Army National Guard", 1959, such portions thereof as may be determined by the Secretary of Defense to have been obligated for operation and maintenance activities, may hereafter be accounted for under the headings "Operation and Maintenance, Army National Guard", 1958, and "Operation and Maintenance, Army National Guard", 1959, respectively: *Provided further*, That $5,700,000 of the funds provided in this appropriation shall be available only to meet the increased expenses necessary to maintain the Army National Guard at the strength provided for in this Act.

70A Stat. 614.

70A Stat. 599.

70A Stat. 120.
10 USC 2231-2238.

68 Stat. 830.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For operation and maintenance of the Air National Guard, including medical and hospital treatment and related expenses; establishment, maintenance, operation, repair, and other necessary expenses of facilities for the training and administration of the Air National Guard, including repair of facilities, maintenance, operation and modification of aircraft; transportation of things; hire of passenger motor vehicles; supplies, materials, and equipment, as authorized by law for the Air National Guard of the several States, Territories, and the District of Columbia; and expenses incident to the maintenance and use of supplies, materials, and equipment, including such as may be furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, of Air National Guard commanders while inspecting units in compliance with National Guard regulations when specifically authorized by the Chief, National Guard Bureau; $169,000,000: *Provided*, That the number of caretakers authorized to be employed under the provisions of law (32 U.S.C. 709) may be such as is deemed necessary by the Secretary of the Air Force and such caretakers may be employed without regard to their military rank as members of the Air National Guard: *Provided further*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code: *Provided further*, That of the amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955 (31 U.S.C. 200), as having been obligated under the appropriations for "Air National Guard", 1958, and "Air National Guard", 1959, such portions thereof as may be determined by the Secretary of Defense to have been obligated for operation and maintenance activities, may hereafter be accounted for under the heading "Operation and maintenance, Air National Guard", 1958, and "Operation and maintenance, Air National Guard", 1959, respectively.

70A Stat. 614.

70A Stat. 599.

68 Stat. 830.

NATIONAL BOARD FOR THE PROMOTION OF RIFLE PRACTICE, ARMY

For the necessary expenses of construction, equipment and maintenance of rifle ranges, the instruction of citizens in marksmanship, and promotion of rifle practice, in accordance with law, including travel of rifle teams, military personnel, and individuals attending regional, national, and international competitions, and not to exceed $21,000 for incidental expenses of the National Board, $300,000: *Provided*, That travel expenses of civilian members of the National Board shall be paid in accordance with the Standardized Government Travel Regulations, as amended.

OPERATION AND MAINTENANCE, ALASKA COMMUNICATION SYSTEM, ARMY

For expenses necessary for the operation, maintenance, and improvement of the Alaska Communication System, $5,676,000, and, in addition, not to exceed 15 per centum of the current fiscal year receipts of the Alaska Communication System may be merged with and used for the purposes of this appropriation and charges for station agent agreements may be paid from receipts of the Alaska Communication System.

SALARIES AND EXPENSES, SECRETARY OF DEFENSE

For expenses necessary for the Office of the Secretary of Defense, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles; and not to exceed $60,000 for emergency and extraordinary expenses, to be expended under the direction of the Secretary of Defense for such purposes as he deems proper, and his determination thereon shall be final and conclusive; $20,500,000.

CLAIMS, DEPARTMENT OF DEFENSE

For payment of claims by the Office of the Secretary of Defense, the Army (except as provided in appropriations for civil functions administered by the Department of the Army), Navy, Marine Corps, and Air Force, as authorized by law; claims (not to exceed $1,000 in any one case) for damages to or loss of private property incident to the operation of Army and Air National Guard camps of instruction, either during the stay of units of said organizations at such camps or while en route thereto or therefrom; claims for damages arising under training contracts with carriers; and repayment of amounts determined by the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force, or officers designated by them, to have been erroneously collected from military and civilian personnel of the Departments of the Army, Navy, and Air Force or from States, Territories, or the District of Columbia, or members of National Guard units thereof; $16,500,000.

CONTINGENCIES, DEPARTMENT OF DEFENSE

For emergencies and extraordinary expenses arising in the Department of Defense, to be expended on the approval or authority of the Secretary of Defense and such expenses may be accounted for solely on his certificate that the expenditures were necessary for confidential military purposes, $15,000,000: *Provided*, That a report of disbursements under this item of appropriation shall be made quarterly to the Appropriations Committees of the Congress.

Report to Congressional Committees.

OPERATION AND MAINTENANCE, OLYMPIC WINTER GAMES, DEPARTMENT OF DEFENSE

For necessary expenses in connection with the VIII Olympic Winter Games, 1960, as authorized by section 1 of the Act of April 3, 1958 (Public Law 85-365), $800,000, of which $400,000 shall not be available unless H.R. 5674 or similar authorization is enacted into law: *Provided*, That funds in this paragraph shall not be available for support of any international games or events in which participation is denied any of the free countries of the world.

72 Stat. 78.
*Ante*, p. 302.

SALARIES AND EXPENSES, COURT OF MILITARY APPEALS, DEPARTMENT OF DEFENSE

For salaries and expenses necessary for the Court of Military Appeals, $425,000.

# TITLE III

## PROCUREMENT

### PROCUREMENT OF EQUIPMENT AND MISSILES, ARMY

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, ammunition, equipment, vehicles, vessels, and aircraft for the Army and the Reserve Officers' Training Corps; purchase of not to exceed one thousand three hundred and fifty-nine passenger motor vehicles for replacement only (including twenty at not to exceed $2,900 each); expenses which in the discretion of the Secretary of the Army are necessary in providing facilities for production of equipment and supplies for national defense purposes, including construction, and the furnishing of Government-owned facilities and equipment at privately owned plants; and ammunition for military salutes at institutions to which issue of weapons for salutes is authorized; $1,407,300,000, to remain available until expended.

### AIRCRAFT AND RELATED PROCUREMENT, NAVY

For construction, procurement, and modernization of aircraft, missiles, and equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, without regard to section 3734, Revised Statutes, as amended, and such lands, and interest therein, may be acquired, and construction prosecuted thereon prior to approval of title by the Attorney General as required by section 355, Revised Statutes, as amended; procurement and installation of equipment in public or private plants; and departmental salaries necessary for the purposes of this appropriation; $1,961,644,000, to remain available until expended.

40 USC 259, 267.

50 USC 175.

### SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament therefor, plant equipment, appliances, and machine tools, and installation thereof in public or private plants; procurement, production, and modernization of electronic equipment and material for ships; procurement of critical long lead time components and designs for vessels to be constructed or converted in the future; expansion of public and private plants, including land necessary therefor, without regard to section 3734, Revised Statutes, as amended, and such land, and interests therein, may be acquired and construction prosecuted thereon prior to approval of title by the Attorney General as required by section 355, Revised Statutes, as amended; and departmental salaries necessary for the purposes of this appropriation; $1,330,700,000, to remain available until expended.

40 USC 259, 267.

50 USC 175.

### PROCUREMENT OF ORDNANCE AND AMMUNITION, NAVY

For expenses necessary for the production and procurement of Navy ordnance and ammunition, including missiles (except ordnance for new aircraft, new ships, and ships authorized for conversion); expansion of public and private plants, including land necessary therefor, without regard to section 3734, Revised Statutes, as amended, and such land, and interests therein, may be acquired and construction prosecuted thereon prior to approval of title by the Attorney General as required by section 355, Revised Statutes, as amended; and procure-

40 USC 259, 267.

50 USC 175.

ment of plant equipment, appliances, and machine tools, and installation thereof in public or private plants; $567,719,000, to remain available until expended.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, ammunition, military equipment, and vehicles for the Marine Corps, including purchase of not to exceed twenty passenger motor vehicles which shall be for replacement only, $133,850,000, to remain available until expended.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft, and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land without regard to section 9774 of title 10, United States Code, for the foregoing purposes, and such land, and interests therein may be acquired and construction prosecuted thereon prior to the approval of title by the Attorney General as required by section 355, Revised Statutes, as amended; reserve plant and equipment layaway; and other expenses necessary for the foregoing purposes, including rents and transportation of things; $4,284,600,000, to remain available until expended, of which $2,900,000 shall be available solely for procurement for the Air National Guard: *Provided*, That during the current fiscal year there may be merged with this appropriation such amounts of the unobligated balances of appropriations previously granted for "Aircraft, missiles, and related procurement", and "Procurement other than aircraft and missiles", as the Secretary of Defense may determine to be necessary for the accomplishment of the programs for which this appropriation is made.

70A Stat. 590.

50 USC 175.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land without regard to section 9774 of title 10, United States Code, for the foregoing purposes, and such land, and interests therein may be acquired and construction prosecuted thereon prior to the approval of title by the Attorney General as required by section 355, Revised Statutes, as amended; reserve plant and equipment layaway; and other expenses necessary for the foregoing purposes, including rents and transportation of things; $2,540,550,000, to remain available until expended: *Provided*, That during the current fiscal year there may be merged with this appropriation such amounts of unobligated balances of appropriations previously granted for "Aircraft, missiles, and related procurement, Air Force", and "Procurement other than aircraft and missiles, Air Force", as the Secretary of Defense may determine to be necessary for the accomplishment of the programs for which this appropriation is made.

70A Stat. 590.

50 USC 175.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed two thousand five hundred and seventy-seven passenger motor vehicles, of which two thousand three hundred and thirty-three (including one at not to exceed $2,900) shall be for replacement only; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, without regard to section 9774 of title 10, United States Code, for the foregoing purposes, and such land, and interests therein may be acquired and construction prosecuted thereon prior to the approval of title by the Attorney General as required by section 355, Revised Statutes, as amended; $1,109,650,000, to remain available until expended, of which $16,100,000 shall be available solely for procurement for the Air National Guard: *Provided*, That during the current fiscal year there may be merged with this appropriation such amounts of unobligated balances of appropriations previously granted for "Procurement other than aircraft and missiles", as the Secretary of Defense may determine to be necessary for the accomplishment of the programs for which this appropriation is made: *Provided further*, That such amounts of unexpended balances of the amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955 (31 U.S.C. 200) of the appropriations "Air National Guard", 1958, and "Air National Guard", 1959, as may be determined by the Secretary of Defense to have been made available for procurement activities shall be merged with this appropriation.

70A Stat. 590.

50 USC 175.

68 Stat. 830.

CONSTRUCTION OF SHIPS, MILITARY SEA TRANSPORTATION SERVICE, DEPARTMENT OF DEFENSE

The appropriation to the Department of Defense for "Construction of ships, Military Sea Transportation Service", shall not be available for obligation after June 30, 1959.

## TITLE IV

## RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law, $1,035,715,000, to remain available until expended: *Provided*, That during the current fiscal year there may be merged with this appropriation such amounts of the unexpended balances of appropriations heretofore made available for research, development, test, and evaluation, as the Secretary of Defense may determine to be necessary for the accomplishment of the programs for which this appropriation is made.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law, $1,015,920,000, to remain available until expended: *Provided*,

That during the current fiscal year there may be merged with this appropriation such amounts of the unexpended balances of appropriations heretofore made available for research, development, test, and evaluation, as the Secretary of Defense may determine to be necessary for the accomplishment of the programs for which this appropriation is made.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law, $1,159,900,000, to remain available until expended: *Provided*, That during the current fiscal year there may be merged with this appropriation such amounts of the unexpended balances of appropriations heretofore made available for research, development, test, and evaluation, as the Secretary of Defense may determine to be necessary for the accomplishment of the programs for which this appropriation is made: *Provided further*, That no part of this appropriation shall be used for construction, maintenance, or rental of missile testing facilities until the fullest practical use is made of testing facilities and equipment at existing installations or those now under construction.

SALARIES AND EXPENSES, ADVANCED RESEARCH PROJECTS AGENCY, DEPARTMENT OF DEFENSE

For expenses necessary for such advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law, $455,000,000, to remain available until expended: *Provided*, That such amounts as may be determined by the Secretary of Defense to have been made available for related programs in other appropriations available to the Department of Defense during the current fiscal year may be transferred to and merged with this appropriation to be available for the same purposes and time period: *Provided further*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to carry out the purposes of advanced research to those appropriations for military functions under the Department of Defense which are being utilized for related programs, to be merged with and to be available for the same time period as the appropriation to which transferred.

EMERGENCY FUND, DEPARTMENT OF DEFENSE

For transfer by the Secretary of Defense, with the approval of the Bureau of the Budget, to any appropriation for military functions under the Department of Defense available for research, development, test, and evaluation, or procurement or production related thereto, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation to which transferred, $150,000,000, and in addition not to exceed $150,000,000 to be used upon determination by the Secretary of Defense that such funds can be wisely, profitably, and practically used in the interest of national defense and to be derived by transfer from such appropriations available to the Department of Defense for obligation during the current fiscal year as the Secretary of Defense may designate: *Provided*, That any appropriations transferred shall not exceed 7 per centum of the appropriation from which transferred.

# TITLE V

## GENERAL PROVISIONS

Experts or consultants.

SEC. 601. During the current fiscal year, the Secretary of Defense and the Secretaries of the Army, Navy, and Air Force, respectively, if they should deem it advantageous to the national defense, and if in their opinions, the existing facilities of the Department of Defense are inadequate, are authorized to procure services in accordance with section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), under regulations prescribed by the Secretary of Defense, and to pay in connection therewith travel expenses of individuals, including actual transportation and per diem in lieu of subsistence while traveling from their homes or places of business to official duty station and return as may be authorized by law: *Provided*, That such contracts may be renewed annually.

60 Stat. 810.

Noncitizens.

SEC. 602. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense.

Availability of appropriations.

SEC. 603. Appropriations contained in this Act shall be available for insurance of official motor vehicles in foreign countries, when required by laws of such countries; payments in advance of expenses determined by the investigating officer to be necessary and in accord with local custom for conducting investigations in foreign countries incident to matters relating to the activities of the department concerned; reimbursement of General Services Administration for security guard services for protection of confidential files; reimbursement of the Federal Bureau of Investigation for expenses in connection with investigation of defense contractor personnel; and all necessary expenses, at the seat of Government of the United States of America or elsewhere, in connection with communication and other services and supplies as may be necessary to carry out the purposes of this Act: *Provided*, That no appropriation contained in this Act, and no funds available from prior appropriations to component departments and agencies of the Department of Defense, shall be used to pay tuition or to make other payments to educational institutions in connection with the instruction or training of file clerks, stenographers, and typists receiving, or prospective file clerks, stenographers, and typists who will receive compensation at a rate below the minimum rate of pay for positions allocated to grade GS-5 under the Classification Act of 1949, as amended.

63 Stat. 954.
5 USC 1071 note.

Prisoners of war, etc.

SEC. 604. Any appropriation available to the Army, Navy, or the Air Force may, under such regulations as the Secretary concerned may prescribe, be used for expenses incident to the maintenance, pay, and allowances of prisoners of war, other persons in Army, Navy, or Air Force custody whose status is determined by the Secretary concerned to be similar to prisoners of war, and persons detained in such custody pursuant to Presidential proclamation.

Acquisition of land.
50 USC 171b.

SEC. 605. Appropriations available to the Department of Defense for the current fiscal year for maintenance or construction shall be available for acquisition of land as authorized by section 406 of the Act of August 3, 1956 (70 Stat. 1015), as amended.

Schooling for dependents.

SEC. 606. Appropriations for the Department of Defense for the current fiscal year shall be available, (a) except as authorized by the Act of September 30, 1950 (20 U.S.C. 236-244), for primary and secondary schooling for minor dependents of military and civilian personnel of the Department of Defense residing on military or naval installations or stationed in foreign countries, as authorized for the

64 Stat. 1100.

Navy by section 7204 of title 10, United States Code, in amounts not exceeding an average of $265 per student, when the Secretary of the Department concerned finds that schools, if any, available in the locality, are unable to provide adequately for the education of such dependents; (b) for expenses in connection with administration of occupied areas; (c) for payment of rewards as authorized for the Navy by section 7209(a) of title 10, United States Code, for information leading to the discovery of missing naval property or the recovery thereof; (d) for payment of deficiency judgments and interests thereon arising out of condemnation proceedings; (e) for payment of rentals at the seat of government or elsewhere, and, in administering the provisions of 43 U.S.C. 315q, rentals may be paid in advance.

70A Stat. 442.

Occupied areas.

70A Stat. 444.

Payment of deficiency judgments.

56 Stat. 654.

SEC. 607. Appropriations for the Department of Defense for the current fiscal year shall be available for: (a) donations of not to exceed $25 to each prisoner upon each release from confinement in military or contract prison (except disciplinary barracks) and to each person discharged for fraudulent enlistment; (b) authorized issues of articles to prisoners (except those in disciplinary barracks); (c) subsistence of selective service registrants called for induction, applicants for enlistment while held under observation, prisoners (except those in disciplinary barracks), and supernumeraries when necessitated by emergent military circumstances; (d) reimbursement for subsistence of enlisted personnel while sick in hospitals; and (e) expenses of prisoners confined in nonmilitary facilities: *Provided*, That section 212 of the Act of June 30, 1932 (5 U.S.C. 59a), shall not apply to retired military personnel on duty at the United States Soldiers' Home.

Articles for prisoners.

47 Stat. 406.

SEC. 608. Insofar as practicable, the Secretary of Defense shall assist American small business to participate equitably in the furnishing of commodities and services financed with funds appropriated under this Act by making available or causing to be made available to suppliers in the United States, and particularly to small independent enterprises, information, as far in advance as possible, with respect to purchases proposed to be financed with funds appropriated under this Act, and by making available or causing to be made available to purchasing and contracting agencies of the Department of Defense information as to commodities and services produced and furnished by small independent enterprises in the United States, and by otherwise helping to give small business an opportunity to participate in the furnishing of commodities and services financed with funds appropriated by this Act.

Assistance to American small business.

SEC. 609. No appropriation contained in this Act shall be available for expenses of operation of messes (other than organized messes the operating expenses of which are financed principally from non-appropriated funds) at which meals are sold to officers or civilians except under regulations approved by the Secretary of Defense, which shall (except under unusual or extraordinary circumstances) establish rates for such meals sufficient to provide reimbursement of operating expenses and food costs to the appropriations concerned: *Provided*, That officers and civilians in a travel status receiving a per diem allowance in lieu of subsistence shall be charged at the rate of not less than $2.25 per day: *Provided further*, That for the purposes of this section payments for meals at the rates established hereunder may be made in cash or by deductions from the pay of civilian employees.

Mess operations.

Travel-status rate.

SEC. 610. No part of any appropriation contained in this Act shall be available until expended unless expressly so provided elsewhere in this or some other appropriation Act.

Availability of appropriations.

SEC. 611. Appropriations of the Department of Defense available for operation and maintenance, may be reimbursed during the cur-

Expenses for military equipment.

rent fiscal year for all expenses involved in the preparation for disposal and for the disposal of military supplies, equipment, and materiel, from amounts received as proceeds from the sale of any such property: *Provided*, That a report of receipts and disbursements under this limitation shall be made quarterly to the Committees on Appropriations of the Congress: *Provided further*, That no funds available to agencies of the Department of Defense shall be used for the operation, acquisition, or construction of new facilities or equipment for new facilities in the continental limits of the United States for metal scrap baling or shearing or for melting or sweating aluminum scrap unless the Secretary of Defense or an Assistant Secretary of Defense designated by him determines, with respect to each facility involved, that the operation of such facility is in the national interest.

Report to Congressional Committees.

SEC. 612. (a) During the current fiscal year, the President may exempt appropriations, funds, and contract authorizations, available for military functions under the Department of Defense, from the provisions of subsection (c) of section 3679 of the Revised Statutes, as amended, whenever he deems such action to be necessary in the interest of national defense.

31 USC 665.

(b) Upon determination by the President that such action is necessary, the Secretary of Defense is authorized to provide for the cost of an airborne alert as an excepted expense in accordance with the provisions of R.S. 3732 (41 U.S.C. 11).

34 Stat. 255.

Commissary stores.

SEC. 613. No appropriation contained in this Act shall be available in connection with the operation of commissary stores of the agencies of the Department of Defense for the cost of purchase (including commercial transportation in the United States to the place of sale but excluding all transportation outside the United States) and maintenance of operating equipment and supplies, and for the actual or estimated cost of utilities as may be furnished by the Government and of shrinkage, spoilage, and pilferage of merchandise under the control of such commissary stores, except as authorized under regulations promulgated by the Secretaries of the military departments concerned, with the approval of the Secretary of Defense, which regulations shall provide for reimbursement therefor to the appropriations concerned and, notwithstanding any other provision of law, shall provide for the adjustment of the sales prices in such commissary stores to the extent necessary to furnish sufficient gross revenue from sales of commissary stores to make such reimbursement: *Provided*, That under such regulations as may be issued pursuant to this section all utilities may be furnished without cost to the commissary stores outside the continental United States and in Alaska: *Provided further*, That no appropriation contained in this Act shall be available in connection with the operation of commissary stores within the continental United States unless the Secretary of Defense has certified that items normally procured from commissary stores are not otherwise available at a reasonable distance and a reasonable price in satisfactory quality and quantity to the military and civilian employees of the Department of Defense.

Restriction.

Proficiency flying.

SEC. 614. Notwithstanding any other provision of law, Executive order, or regulation, no part of the appropriations in this Act shall be available for any expenses of operating aircraft under the jurisdiction of the Armed Forces for the purpose of proficiency flying except in accordance with the regulations issued by the Secretaries of the Departments concerned and approved by the Secretary of Defense which shall establish proficiency standards and maximum and minimum flying hours for this purpose: *Provided*, That without regard to any provision of law or Executive order prescribing minimum flight requirements, such regulations may provide for the payment of flight pay at the rates prescribed in section 204(b) of the Career Compensa-

Flight pay for certain officers.

tion Act of 1949 (63 Stat. 802) as amended, to certain members of the Armed Forces otherwise entitled to receive flight pay during the fiscal year 1960 (1) who have held aeronautical ratings or designations for not less than twenty years, or (2) whose particular assignment outside the United States or in Alaska makes it impractical to participate in regular aerial flights.

63 Stat. 809. 37 USC 235.

SEC. 615. No part of any appropriation contained in this Act shall be available for expense of transportation, packing, crating, temporary storage, drayage, and unpacking of household goods and personal effects in excess of eleven thousand pounds net in any one shipment: *Provided*, That the limitations imposed herein shall not be applicable in the case of members transferred to or serving in stations outside the continental United States or in Alaska under orders relieving them from a duty station within the United States prior to July 10, 1952, and who are returned to the United States under orders relieving them from a duty station beyond the United States or in Alaska on or after July 1, 1953.

Household goods.

Nonapplicability.

SEC. 616. Vessels under the jurisdiction of the Department of Commerce, the Department of the Army, the Department of the Air Force, or the Department of the Navy may be transferred or otherwise made available without reimbursement to any such agencies upon the request of the head of one agency and the approval of the agency having jurisdiction of the vessels concerned.

Transfer of vessels.

SEC. 617. None of the funds provided in this Act shall be available for training in any legal profession nor for the payment of tuition for training in such profession: *Provided*, That this limitation shall not apply to the off-duty training of military personnel as prescribed by section 621 of this Act.

Legal training.

SEC. 618. Not more than 20 per centum of the appropriations in this Act which are limited for obligation during fiscal year 1960 shall be obligated during the last two months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of civilian components or summer camp training of the Reserve Officers' Training Corps.

Obligated funds, 1960.

SEC. 619. During the fiscal year 1960 the agencies of the Department of Defense may accept the use of real property from foreign countries for the United States in accordance with mutual defense agreements or occupational arrangements and may accept services furnished by foreign countries as reciprocal international courtesies or as services customarily made available without charge; and such agencies may use the same for the support of the United States forces in such areas without specific appropriation therefor.

Acceptance of property from foreign countries.

In addition to the foregoing, agencies of the Department of Defense may accept real property, services, and commodities from foreign countries for the use of the United States in accordance with mutual defense agreements or occupational arrangements and such agencies may use the same for the support of the United States forces in such areas, without specific appropriation therefor: *Provided*, That within thirty days after the end of each quarter the Secretary of Defense shall render to the Committees on Appropriations of the Senate and the House of Representatives and to the Bureau of the Budget a full report of such property, supplies, and commodities received during such quarter.

Reports to Congress and Budget Bureau.

SEC. 620. During the current fiscal year, appropriations available to the Department of Defense for research and development may be used for the purposes of section 2353 of title 10, United States Code, and for purposes related to research and development for which expenditures are specifically authorized in other appropriations of the service concerned.

Research and development.

70A Stat. 134.

Tuition payments, etc.

SEC. 621. No appropriation contained in this Act shall be available for the payment of more than 75 per centum of charges of educational institutions for tuition or expenses for off-duty training of military personnel, nor for the payment of any part of tuition or expenses for such training for commissioned personnel who do not agree to remain on active duty for two years after completion of such training.

ROTC. Loyalty requirement.

SEC. 622. No part of the funds appropriated herein shall be expended for the support of any formally enrolled student in basic courses of the senior division, Reserve Officers' Training Corps, who has not executed a certificate of loyalty or loyalty oath in such form as shall be prescribed by the Secretary of Defense.

Procurement of products, restriction.

SEC. 623. No part of any appropriation contained in this Act shall be available for the procurement of any article of food, clothing, cotton, spun silk yarn for cartridge cloth, or wool (whether in the form of fiber or yarn or contained in fabrics, materials, or manufactured articles) not grown, reprocessed, reused, or produced in the United States or its possessions, except to the extent that the Secretary of the department concerned shall determine that a satisfactory quality and sufficient quantity of any articles of food or clothing or any form of cotton, spun silk yarn for cartridge cloth, or wool grown, reprocessed, reused, or produced in the United States or its possessions cannot be procured as and when needed at United States market prices and except procurements outside the United States in support of combat operations, procurements by vessels in foreign waters and emergency procurements or procurements of perishable foods by establishments located outside the United States for the personnel attached thereto: *Provided*, That nothing herein shall preclude the procurement of foods manufactured or processed in the United States or its possessions: *Provided further*, That no funds herein appropriated shall be used for the payment of a price differential on contracts hereafter made for the purpose of relieving economic dislocations.

Bakeries, laundries, etc.

SEC. 624. None of the funds appropriated in this Act shall be used for the construction, replacement, or reactivation of any bakery, laundry, or dry-cleaning facility in the United States, its Territories or possessions, as to which the Secretary of Defense does not certify in writing, giving his reasons therefor, that the services to be furnished by such facilities are not obtainable from commercial sources at reasonable rates.

Air mail.

SEC. 625. During the current fiscal year, appropriations of the Department of Defense shall be available for reimbursement to the Post Office Department for payment of costs of commercial air transportation of military mail between the United States and foreign countries.

Foreign quarters.

SEC. 626. Appropriations of the Department of Defense available for the payment of rental allowances shall be available for the leasing of quarters in foreign countries constructed under the authority of section 302 of Public Law 534, approved July 14, 1952, for assignment as public quarters to military personnel of the Department of Defense.

66 Stat. 622.

Furnishings.

SEC. 627. Appropriations contained in this Act shall be available for providing furnishings, without charge, in other than public quarters occupied by military or civilian personnel of the Department of Defense on duty outside the continental United States or in Alaska, upon a determination, under regulations approved by the Secretary of Defense, that such action is advantageous to the Government.

Uniforms.

SEC. 628. During the current fiscal year appropriations available to the Department of Defense for pay of civilian employees shall be available for uniforms, or allowances therefor, as authorized by the Act of September 1, 1954, as amended (5 U.S.C. 2131).

68 Stat. 1114.

SEC. 629. During the current fiscal year, the Secretary of Defense shall, upon requisition of the National Board for the Promotion of Rifle Practice, and without reimbursement, transfer from agencies of the Department of Defense to the Board ammunition from stock or which has been procured for the purpose in such amounts as he may determine.

Promotion of rifle practice.

Such appropriations of the Department of Defense available for obligation during the current fiscal year as may be designated by the Secretary of Defense shall be available for the travel expenses of military and naval personnel, including the reserve components, and members of the Reserve Officers' Training Corps attending regional, national or international rifle matches.

SEC. 630. Funds provided in this Act for legislative liaison activities of the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Office of the Secretary of Defense shall not exceed $2,650,000: *Provided*, That this amount shall be available for apportionment to the Department of the Army, the Department of the Navy, the Department of the Air Force, and the Office of the Secretary of Defense as determined by the Secretary of Defense.

Legislative liaison activities.

SEC. 631. Of the funds made available by this Act for the services of the Military Air Transport Service, $85,000,000 shall be available only for procurement of commercial air transportation service; and the Secretary of Defense shall utilize the services of civil air carriers which qualify as small businesses to the fullest extent found practicable.

Civil air carriers.

SEC. 632. Not to exceed $7,000,000 of the funds made available in this Act for the purpose shall be available for the hire of motor vehicles.

Motor vehicle hire.

SEC. 633. During the current fiscal year, the Secretary of Defense, should he deem it advantageous to the national defense to accelerate any strategic or tactical missile program, may transfer under the authority and terms of the Emergency Fund, an additional $150,000,000 for the acceleration of such missile program or programs: *Provided*, That the transfer authority made available under the terms of the Emergency Fund appropriation contained in this Act is hereby broadened to meet the requirements of this section: *Provided further*, That the Secretary of Defense shall notify the Appropriations Committees of the Congress promptly of all transfers made pursuant to this authority.

Transfer of funds for missile program.

Notification to Congress.

SEC. 634. This Act may be cited as the "Department of Defense Appropriation Act, 1960".

Short title.

Approved August 18, 1959.

## Public Law 86-167

### AN ACT

August 18, 1959
[H. R. 4405]

To authorize and direct the Secretary of the Interior to conduct studies and render a report on the feasibility of developing the water resources of the Salt Fork and the Prairie Dog Town Fork of the Red River in the State of Texas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior is hereby authorized and directed to conduct the necessary studies and render a report to the Congress on the feasibility of developing the water resources of that portion of the drainage area of the Salt Fork of the Red River lying in the State of Texas and that portion of the drainage area of the Prairie Dog Town Fork of the Red River lying in the State of Texas for furnishing municipal and industrial water and for other purposes.

Red River, Texas.
Study and report.

Approved August 18, 1959.