Public Law 86-275

September 16, 1959
[H. R. 8575]

AN ACT

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

Military Construction 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 construction functions administered by the Department of Defense, and for other purposes, namely:

MILITARY CONSTRUCTION, ADVANCED RESEARCH PROJECTS AGENCY

For construction as authorized by title IV of the Act of August 20, 1958 (Public Law 85–685), $23,545,000, to remain available until expended.

72 Stat. 659.

LORAN STATIONS, DEPARTMENT OF DEFENSE

For construction of additional loran stations by the Coast Guard, to remain available until expended, $23,200,000, which shall be transferred on approval of the Secretary of Defense to the appropriation, "Acquisition, construction, and improvements", Coast Guard.

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, and facilities for the Army as authorized by section 102 of the Act of September 28, 1951 (Public Law 155), by section 102 of the Act of July 14, 1952 (Public Law 534), sections 101 and 102 of the Act of July 15, 1955 (Public Law 161), sections 101 and 102 of the Act of August 3, 1956 (Public Law 968), the Act of August 30, 1957 (Public Law 85–241), the Act of August 20, 1958 (Public Law 85–685), and such additional projects as may be authorized by law during the first session of the Eighty-sixth Congress, to remain available until expended, $263,632,300, including $1,700,000 to be used only for the purchase of foreign currencies to construct military facilities (except housing and community facilities) for the Army Security Agency, location 12.

65 Stat. 343.
66 Stat. 609.
69 Stat. 324, 328.
70 Stat. 991, 994.
71 Stat. 531.
72 Stat. 636.

MILITARY CONSTRUCTION, NAVY

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, and facilities for the Navy as authorized by section 201 of the Act of July 15, 1955 (Public Law 161), section 201 of the Act of August 3, 1956 (Public Law 968), the Act of August 30, 1957 (Public Law 85–241), the Act of August 20, 1958 (Public Law 85–685), and such additional projects as may be authorized by law during the first session of the Eighty-sixth Congress, including personnel in the Bureau of Yards and Docks and other personal services necessary for the purposes of this appropriation, to remain available until expended, $204,112,400.

69 Stat. 329.
70 Stat. 994.
71 Stat. 531.
72 Stat. 636.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, and facilities for the Air Force as authorized by section 302 of the Act of July 14, 1952 (Public Law 534), the Act of April 1, 1954 (Public Law 325), the Act of August 30, 1957 (Public Law 85–241), the Act of February

66 Stat. 622.
68 Stat. 47.
71 Stat. 531.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

12, 1958 (Public Law 85–325), the Act of August 20, 1958 (Public Law 85–685), and such additional projects as may be authorized by law during the first session of the Eighty-sixth Congress without regard to section 9774(d) of title 10, United States Code, and section 3734, Revised Statutes, as amended, to remain available until expended, $776,832,500.

72 Stat. 11.
72 Stat. 636.
70A Stat. 590.
40 USC 259, 267.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve, as authorized by chapter 133 of title 10, United States Code, as amended, the Act of August 20, 1958 (Public Law 85–685), and as may be authorized by law during the first session of the Eighty-sixth Congress, to remain available until expended, $20,000,000.

70A Stat. 120-123.
72 Stat. 636.

MILITARY CONSTRUCTION, NAVAL RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps, as authorized by chapter 133 of title 10, United States Code, as amended, the Act of August 20, 1958 (Public Law 85–685), and such additional projects as may be authorized by law during the first session of the Eighty-sixth Congress, to remain available until expended, $8,980,000.

70A Stat. 120-123.
72 Stat. 636.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 133 of title 10, United States Code, as amended, the Act of August 20, 1958 (Public Law 85–685), and such additional projects as may be authorized by law during the first session of the Eighty-sixth Congress, to remain available until expended, $4,000,000: *Provided*, That such portion of the unexpended balance of the appropriation "Military construction, Air Force" as may be determined by the Secretary of Defense to be available for the Air Force Reserve shall be merged with this appropriation.

70A Stat. 120-123.
72 Stat. 636.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, as amended, the Act of August 20, 1958 (Public Law 85–685), and as may be authorized by law during the first session of the Eighty-sixth Congress, to remain available until expended, $23,219,000: *Provided*, That such portion of the unexpended balance of the appropriation "Military Construction, Army Reserve Forces" as may be determined by the Secretary of Defense to be available for the Army National Guard shall be merged with this appropriation.

70A Stat. 120-123.
72 Stat. 636.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, as amended, the Act of August 20,

70A Stat. 120-123.

72 Stat. 636.

1958 (Public Law 85–685), and such additional projects as may be authorized by law during the first session of the Eighty-sixth Congress, to remain available until expended, $16,440,000: *Provided*, That of the amounts certified pursuant to 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 construction may be merged with this appropriation.

68 Stat. 830.

GENERAL PROVISIONS

SEC. 101. Funds appropriated to the military departments for construction in prior years are hereby made available for construction authorized for each such department by the authorizations enacted into law during the first session of the Eighty-sixth Congress.

Limitation on expenditures.

SEC. 102. None of the funds appropriated in this Act shall be expended for payments under a cost-plus-a-fixed-fee contract for work where cost estimates exceed $25,000 to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 103. None of the funds appropriated in this Act shall be expended for additional costs involved in expediting construction unless the Secretary of Defense certifies such costs to be necessary to protect the national interest and establishes a reasonable completion date for each project, taking into consideration the urgency of the requirement, the type and location of the project, the climatic and seasonal conditions affecting the construction and the application of economical construction practices.

SEC. 104. None of the funds appropriated in this Act shall be used for the construction, replacement, or reactivation of any bakery, laundry, or drycleaning 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.

SEC. 105. Funds appropriated to the military departments for construction are hereby made available for: (1) advance planning, construction design and architectural services, as authorized by section 504 of the Act of September 28, 1951, as amended (69 Stat. 352), (2) acquisition of land, installation of outside utilities, and site preparation for housing projects to be constructed under title VIII of the National Housing Act, as amended, as authorized by section 505 of the Act of September 28, 1951 (65 Stat. 365), (3) hire of passenger motor vehicles, and (4) the construction, or acquisition by lease or otherwise, of family housing and community facilities projects in foreign countries as authorized by section 407(b) of the Act of September 1, 1954 (68 Stat. 1119), as amended.

31 USC 723.

12 USC 1748i.

5 USC 171z-1.

SEC. 106. Appropriations to the military departments for construction may be charged for the cost of administration, supervision and inspection of family housing authorized pursuant to title IV of the Act of August 11, 1955 (Public Law 345), as amended, in an amount not to exceed three and one-half per centum of the cost of each such project: *Provided*, That such appropriations shall be reimbursed from the proceeds of any mortgage executed on each such project.

69 Stat. 646. 12 USC 1748a-1748g; 42 USC 1594-1594f.

SEC. 107. Funds appropriated to the military departments for construction may be used for advances to the Bureau of Public Roads, Department of Commerce, for the purposes of section 210 of title 23,

United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense. 72 Stat. 909.

SEC. 108. None of the funds appropriated in this Act may be used to begin construction on new bases for which specific appropriations have not been made. New bases.

SEC. 109. During the current fiscal year, appropriations available for construction of family quarters for personnel shall not be obligated for such construction at a cost per family unit in excess of $22,000 on housing units for generals or equivalent; $19,800 on housing units for colonels or equivalent; $17,600 on housing units for majors and lieutenant colonels, or equivalent; $15,400 on housing units for second lieutenants, lieutenants, captains, and warrant officers, or equivalent; or $13,200 on housing units for enlisted personnel, except that when such units are constructed outside the continental United States or in Alaska, the average cost per unit of all such units shall not exceed $32,000 and in no event shall the individual cost exceed $40,000, and except that the Secretary of the Army may provide 156 units of family housing for company grade officers at the United States Military Academy at a unit cost of not more than $20,300 per family unit; the family unit costs for family housing including land authorized to be purchased by section 103 of the Act of August 30, 1957 (Public Law 85–241), may exceed by not more than 15 per centum the respective limitations on such costs contained in this Act. Housing for officers. 71 Stat. 534. 42 USC 1594h.

SEC. 110. No part of the funds contained in this Act shall be used to incur obligations for the planning, design, or construction of facilities for an Air Force Academy the total cost of which will be in excess of $139,797,000.

SEC. 111. No part of the funds provided in this Act shall be used for purchase of land or land easements in excess of 100 per centum of the value as determined by the Corps of Engineers or the Bureau of Yards and Docks, except: (a) where there is a determination of value by a Federal court, (b) purchases negotiated by the Attorney General or his designee, and (c) where the estimated value is less than $25,000.

SEC. 112. None of the funds appropriated in this Act may be used to make payments under contracts for any project in a foreign country unless the Secretary of Defense or his designee, after consultation with the Secretary of the Treasury or his designee, certifies to the Congress that the use, by purchase from the Treasury, of currencies of such country acquired pursuant to law is not feasible for the purpose, stating the reason therefor.

SEC. 113. None of the funds appropriated in this Act shall be used for the construction of a combat operations center for the North American Air Defense Command at a cost in excess of $29,000,000.

SEC. 114. This Act may be cited as the "Military Construction Appropriation Act, 1960". Short title.

Approved September 16, 1959.

Public Law 86-276

AN ACT

To authorize the Secretary of the Interior to construct, operate, and maintain the Spokane Valley project, Washington and Idaho, under Federal reclamation laws.

September 16, 1959
[S. 994]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of providing water for the irrigation of approximately ten

Spokane Valley Federal reclamation project Wash.-Idaho.
Construction.