Public Law 92-160

November 18, 1971
[H. R. 11418]

AN ACT

Making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1972, and for other purposes.

Military Construction Appropriation Act, 1972.

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, 1972, for military construction functions administered by the Department of Defense, and for other purposes, namely:

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, and facilities for the Army as currently authorized in military public works or military construction Acts, and in sections 2673 and 2675 of title 10, United States Code, $438,316,000, to remain available until expended.

72 Stat. 1459; 84 Stat. 1224.

MILITARY CONSTRUCTION, NAVY

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, and facilities for the Navy as currently authorized in military public works or military construction Acts, and in sections 2673 and 2675 of title 10, United States Code, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $355,500,000, to remain available until expended.

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 currently authorized in military public works or military construction Acts, and in sections 2673 and 2675 of title 10, United States Code, $289,189,000, to remain available until expended.

MILITARY CONSTRUCTION, DEFENSE AGENCIES

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, and facilities for activities and agencies of the Department of Defense (other than the military departments and the Office of Civil Defense), as currently authorized in military public works or military construction Acts, and in sections 2673 and 2675 of title 10, United States Code, $14,801,000, to remain available until expended; and, in addition, not to exceed $20,000,000 to be derived by transfer from the appropriation "Research, development, test, and evaluation, Defense Agencies" as determined by the Secretary of Defense: *Provided*, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction as he may designate.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard as authorized by chapter 133 of title 10, United States Code, as amended, and the Reserve Forces Facilities Acts, $29,000,000, to remain available until expended.

70A Stat. 120. 10 USC 2231.

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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, and the Reserve Forces Facilities Acts, $10,600,000, to remain available until expended. 70A Stat. 120. 10 USC 2231.

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, and the Reserve Forces Facilities Acts, $33,500,000, to remain available until expended.

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, and the Reserve Forces Facilities Acts, $10,900,000, to remain available until expended.

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, and the Reserve Forces Facilities Acts, $6,581,000, to remain available until expended.

FAMILY HOUSING, DEFENSE

For expenses of family housing for the Army, Navy, Marine Corps, Air Force, and Defense agencies, for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation, maintenance, and debt payment, including leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $933,955,000, to be obligated and expended in the Family Housing Management Account established pursuant to section 501(a) of Public Law 87-554, in not to exceed the following amounts: 76 Stat. 236. 42 USC 1594a-1.

For the Army:
Construction, $55,776,000;
For the Navy and Marine Corps:
Construction, $135,717,000;
For the Air Force:
Construction, $109,045,000;
For Defense agencies:
Construction, $205,000;
For Department of Defense:
Debt payment, $158,917,000;
Operation, maintenance, $474,295,000.

Provided, That the amounts provided under this head for construction and for debt payment shall remain available until expended.

HOMEOWNERS ASSISTANCE FUND, DEFENSE

For use in the Homeowners Assistance Fund established pursuant

to section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (Public Law 89-754, approved November 3, 1966) (42 U.S.C. 3374(d)), $7,575,000.

80 Stat. 1290; 83 Stat. 313.

GENERAL PROVISIONS

Prior appropriations.

SEC. 101. Funds appropriated to the Department of Defense 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 Ninety-second Congress.

Contracts.

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.

Construction, expedition.

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.

Service facilities.

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.

Motor vehicles, hire.

SEC. 105. Funds herein appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.

Access roads, construction.

SEC. 106. Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by 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. 908.

New bases.

SEC. 107. None of the funds appropriated in this Act may be used to begin construction of new bases inside the continental United States for which specific appropriations have not been made.

Land purchases or easements.

SEC. 108. 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 Naval Facilities Engineering Command, except: (a) where there is a determination of value by a Federal court, or (b) purchases negotiated by the Attorney General or his designee, or (c) where the estimated value is less than $25,000, or (d) as otherwise determined by the Secretary of Defense to be in the public interest.

Foreign projects.

SEC. 109. 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. 110. None of the funds appropriated in this Act shall be used to (1) acquire land, (2) provide for site preparation, or (3) install utilities for any family housing, except housing for which funds have been made available in annual military construction appropriation Acts.

Family housing, limitations.

This Act may be cited as the "Military Construction Appropriation Act, 1972".

Short title.

Approved November 18, 1971.

Public Law 92-161

AN ACT

November 18, 1971
[H. R. 1680]

To extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) items 905.30 and 905.31 of the appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) are each amended by striking out "11/7/71" and inserting in lieu thereof "11/7/73".

Certain silk yarns.
Duty suspension, extension.
83 Stat. 36.

(b) The amendments made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, after November 7, 1971.

Effective date.

Approved November 18, 1971.

Public Law 92-162

JOINT RESOLUTION

November 20, 1971
[H. J. Res. 946]

Making further continuing appropriations for the fiscal year 1972, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution of July 1, 1971 (Public Law 92-38), as amended, is hereby further amended (1) by striking out "November 15, 1971" in clause (c) of section 102 and inserting in lieu thereof "December 8, 1971"; and (2) by adding at the end thereof the following new section:

Continuing appropriations, 1972.
Ante, p. 390.

"SEC. 108. Notwithstanding any other provision of this joint resolution, obligations incurred hereunder for foreign economic and military assistance and sales shall not exceed the rate provided for in authorization bills for such assistance passed during the 1st session, 92d Congress: *Provided*, That, whenever the rate of obligations for such assistance made available under such an authorization bill as passed by the Senate is different from that contained under such a bill as passed by the House, the rate of obligations shall be limited to the lower rate."

Limitation.

Approved November 20, 1971.