

Public Law 97-39
97th Congress

An Act

To authorize supplemental appropriations for fiscal year 1981 for the Armed Forces for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles and for research, development, test, and evaluation, to increase the authorized personnel end strengths for military and civilian personnel of the Department of Defense for such fiscal year, to authorize supplemental appropriations for such fiscal year for construction at certain military installations, and for other purposes.

Aug. 14, 1981

[S. 694]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Department of Defense Supplemental Authorization Act, 1981".

Department of
Defense
Supplemental
Authorization
Act, 1981.

TITLE I—PROCUREMENT

AUTHORIZATION OF SUPPLEMENTAL APPROPRIATIONS

SEC. 101. In addition to the funds authorized to be appropriated under title I of the Department of Defense Authorization Act, 1981 (Public Law 96-342; 94 Stat. 1077), funds are hereby authorized to be appropriated for fiscal year 1981 for the use of the Armed Forces for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, as authorized by law, in amounts as follows:

AIRCRAFT

For aircraft: for the Army, \$128,000,000; for the Navy and Marine Corps, \$143,600,000; for the Air Force, \$716,625,000.

MISSILES

For missiles: for the Army, \$27,000,000; for the Air Force, \$205,869,000; for the Marine Corps, \$10,700,000.

NAVAL VESSELS

For naval vessels: for the Navy, \$149,900,000.

TRACKED COMBAT VEHICLES

For tracked combat vehicles: for the Army, \$796,000,000; for the Marine Corps, \$11,300,000.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND
EVALUATION

AUTHORIZATION OF SUPPLEMENTAL APPROPRIATIONS

SEC. 201. In addition to the funds authorized to be appropriated under title II of the Department of Defense Authorization Act, 1981

(94 Stat. 1079), funds are hereby authorized to be appropriated for fiscal year 1981 for the use of the Armed Forces for research, development, test, and evaluation, as authorized by law, in amounts as follows:

For the Army, \$83,463,000.

For the Navy (including the Marine Corps), \$138,067,000.

For the Air Force, \$242,462,000.

For the Defense Agencies, \$16,936,000.

TITLE III—ACTIVE FORCES

INCREASE IN FISCAL YEAR 1981 ACTIVE DUTY END STRENGTHS

SEC. 301. Section 301 of the Department of Defense Authorization Act, 1981 (94 Stat. 1082), is amended by striking out "775,300", "537,456", "188,100", and "564,500" and inserting in lieu thereof "780,000", "540,456", "190,600", and "569,000", respectively.

TITLE IV—RESERVE FORCES

INCREASE IN NUMBER OF MARINE CORPS RESERVISTS AUTHORIZED TO BE ON FULL-TIME ACTIVE DUTY ON SEPTEMBER 30, 1981, IN SUPPORT OF THE MARINE CORPS RESERVE

SEC. 401. Section 401(b)(4) of the Department of Defense Authorization Act, 1981 (94 Stat. 1084), is amended by striking out "67" and inserting in lieu thereof "133".

TITLE V—CIVILIAN PERSONNEL

INCREASE IN NUMBER OF CIVILIAN PERSONNEL AUTHORIZED FOR THE DEPARTMENT OF DEFENSE AS OF SEPTEMBER 30, 1981

SEC. 501. Section 501(a) of the Department of Defense Authorization Act, 1981 (94 Stat. 1085), is amended by striking out "986,000" and inserting in lieu thereof "1,012,250".

TITLE VI—MILITARY CONSTRUCTION

AUTHORIZED ARMY CONSTRUCTION PROJECTS

SEC. 601. (a) In addition to the amounts authorized for acquisition and construction by title I of the Military Construction Authorization Act, 1981 (Public Law 96-418; 94 Stat. 1749), the following amount is authorized for the location specified:

UNITED STATES ARMY, EUROPE

Various Locations, \$1,800,000.

(b) There is authorized to be appropriated for fiscal year 1981 for the purpose of subsection (a) the sum of \$1,800,000.

AUTHORIZED NAVY CONSTRUCTION PROJECTS

SEC. 602. (a) In addition to the amounts authorized for acquisition and construction by title II of the Military Construction Authorization Act, 1981 (94 Stat. 1752), the following amount is authorized for the location specified:

UNITED STATES MARINE CORPS

Marine Corps Air Station, El Toro, California, \$2,000,000.

(b) There is authorized to be appropriated for fiscal year 1981 for the purpose of subsection (a) the sum of \$2,000,000.

AUTHORIZED AIR FORCE CONSTRUCTION PROJECTS

SEC. 603. (a) In addition to the amounts authorized for acquisition and construction by title III of the Military Construction Authorization Act, 1981 (94 Stat. 1756), the following amounts are authorized for the locations specified:

AIR TRAINING COMMAND

Laughlin Air Force Base, Texas, \$4,700,000.

STRATEGIC AIR COMMAND

K. I. Sawyer Air Force Base, Michigan, \$540,000.

SPECIAL PROJECT

Various Locations, Special Project, \$50,000,000.

(b) There is authorized to be appropriated for fiscal year 1981 for the purpose of subsection (a) the sum of \$55,240,000.

AUTHORIZED CONSTRUCTION PROJECTS FOR THE DEFENSE AGENCIES

SEC. 604. (a) In addition to the amount specified for minor construction projects by section 403 of the Military Construction Authorization Act, 1981 (94 Stat. 1761), the Secretary of Defense is authorized to accomplish minor construction projects under section 2674 of title 10, United States Code, in the amount of \$900,000.

(b) There is authorized to be appropriated for fiscal year 1981 for the purpose of subsection (a) the sum of \$900,000.

MILITARY FAMILY HOUSING

SEC. 605. Section 510(a) of the Military Construction Authorization Act, 1981 (94 Stat. 1767), is amended—

(1) by striking out "\$276,100,000" in clause (1) and inserting in lieu thereof "\$260,078,000"; and

(2) by striking out "\$1,880,760,000" in clause (2) and inserting in lieu thereof "\$1,896,782,000".

AIR NATIONAL GUARD OF THE UNITED STATES

SEC. 606. In addition to the amount specified in section 701(3)(A) of the Military Construction Authorization Act, 1981 (94 Stat. 1774), the Secretary of Defense may establish or develop facilities for the Air National Guard of the United States in an amount not to exceed \$6,500,000.

LIMITATIONS APPLICABLE TO USE OF FUNDS

SEC. 607. (a) Authorizations contained in this title shall be subject to the authorizations and limitations of the Military Construction Authorization Act, 1981 (94 Stat. 1749), in the same manner as if such authorizations had been included in the Act.

94 Stat.
1749-1763.

94 Stat.
1768-1770.

(b) For the purposes of the limitations set forth in section 603 of the Military Construction Authorization Act, 1981 (94 Stat. 1768), the amounts authorized to be appropriated for titles I through V of that Act shall be deemed to be increased, respectively, by the amounts authorized to be appropriated by sections 601 through 605.

MODIFICATION OF PRIOR YEAR AUTHORIZATION FOR FAMILY HOUSING
UNITS AT TINKER AIR FORCE BASE, OKLAHOMA

SEC. 608. (a) Section 501(c) of the Military Construction Authorization Act, 1980 (Public Law 96-125; 93 Stat. 940), is amended by striking out "three hundred thirty-two units" in the item relating to Tinker Air Force Base and inserting in lieu thereof "two hundred units".

(b) The authorization for construction of, or acquisition of sole interest in, family housing units at Tinker Air Force Base, Oklahoma, contained in section 501 of the Military Construction Authorization Act, 1980, as amended by subsection (a), is hereby modified to authorize construction of such family housing units on base at Tinker Air Force Base.

TITLE VII—COMPENSATION PROVISIONS

SUBMARINE DUTY INCENTIVE PAY

94 Stat. 3360.

SEC. 701. (a) Paragraphs (1) and (2) of section 301c(a) of title 37, United States Code, are amended to read as follows:

"(1) Subject to regulations prescribed by the President, a member of the Navy who is entitled to basic pay, and (A) holds (or is in training leading to) a submarine duty designator, (B) is in and remains in the submarine service on a career basis, and (C) meets the requirements of paragraph (3) of this subsection, is entitled to continuous monthly submarine duty incentive pay in the amount set forth in subsection (b) of this section.

"(2) Subject to regulations prescribed by the President, a member of the Navy who is entitled to basic pay but is not entitled to continuous monthly submarine duty incentive pay under paragraph (1) of this subsection is entitled to submarine duty incentive pay in the amount set forth in subsection (b) of this section for any period during which such member performs frequent and regular operational submarine duty (as defined in paragraph (5) of this subsection) required by orders."

(b) Paragraph (5)(A)(i) of such section is amended by inserting "while serving as an operator or crew member of an operational submersible (including an undersea exploration or research vehicle)," after "to a submarine,".

(c) The amendments made by this section shall take effect as of January 1, 1981.

Effective date.
37 USC 301c
note.

EFFECTIVE DATE OF ACCUMULATED LEAVE AMENDMENT

SEC. 702. The amendment made by section 10 of the **Military Pay and Allowances Benefits Act of 1980** (Public Law 96-579; 94 Stat. 3368) shall apply with respect to the accumulation of leave by members of the Armed Forces who after September 30, 1979, are assigned (1) to a deployable ship or mobile unit, or (2) to other duty designated after the date of the enactment of this Act as duty qualifying for the purpose of section 701(f) of title 10, United States Code, as amended by that amendment.

10 USC 701 note.

Approved August 14, 1981.

LEGISLATIVE HISTORY—S. 694 (H.R. 2614):

HOUSE REPORTS: No. 97-20 accompanying H.R. 2614 (Comm. on Armed Services) and 97-204 (Comm. of Conference).

SENATE REPORT No. 97-35 (Comm. on Armed Services).

CONGRESSIONAL RECORD, Vol. 127 (1981):

Apr. 7, considered and passed Senate.

June 11, 15, 23, H.R. 2614 considered and passed House; proceedings vacated and S. 694, amended, passed in lieu.

July 30, Senate agreed to conference report.

Aug. 4, House agreed to conference report.