

105TH CONGRESS  
1ST SESSION

# H. R. 2858

To provide for an increase in pay and allowances for members of the uniformed services for fiscal year 1998, to improve certain authorities relating to the pay and allowances and the health care of such members, to authorize appropriations for fiscal year 1998 for military construction, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 6, 1997

Mr. RODRIGUEZ (for himself, Mr. EVERETT, Mr. FAZIO of California, Mr. BONILLA, Mr. SMITH of Texas, and Mr. MATSUI) introduced the following bill; which was referred to the Committee on National Security

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## A BILL

To provide for an increase in pay and allowances for members of the uniformed services for fiscal year 1998, to improve certain authorities relating to the pay and allowances and the health care of such members, to authorize appropriations for fiscal year 1998 for military construction, and for other purposes.

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

### 3 **SECTION 1. SHORT TITLE; DEFINITION.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Military Readiness Act of 1997”.

1 (b) CONGRESSIONAL DEFENSE COMMITTEE DE-  
2 FINED.—For purposes of this Act, the term “congres-  
3 sional defense committees” means—

4 (1) the Committee on Armed Services and the  
5 Committee on Appropriations of the Senate; and

6 (2) the Committee on National Security and the  
7 Committee on Appropriations of the House of Rep-  
8 resentatives.

9 **TITLE I—COMPENSATION AND**  
10 **OTHER PERSONNEL BENEFITS**  
11 **Subtitle A—Pay and Allowances**

12 **SEC. 101. INCREASE IN BASIC PAY FOR FISCAL YEAR 1998.**

13 (a) WAIVER OF SECTION 1009 ADJUSTMENT.—The  
14 adjustment, to become effective during fiscal year 1998,  
15 required by section 1009 of title 37, United States Code  
16 (as amended by section 104), in the rate of monthly basic  
17 pay authorized members of the uniformed services by sec-  
18 tion 203(a) of such title shall not be made.

19 (b) INCREASE IN BASIC PAY.—Effective on January  
20 1, 1998, the rates of basic pay of members of the uni-  
21 formed services are increased by 2.8 percent.

1 **SEC. 102. REFORM OF BASIC ALLOWANCE FOR SUBSIST-**  
2 **ENCE.**

3 (a) ENTITLEMENT TO ALLOWANCE.—Section 402 of  
4 title 37, United States Code, is amended to read as fol-  
5 lows:

6 **“§ 402. Basic allowance for subsistence**

7 “(a) ENTITLEMENT TO ALLOWANCE.—(1) Except as  
8 provided in paragraph (2) or otherwise provided by law,  
9 each member of a uniformed service who is entitled to  
10 basic pay is entitled to a basic allowance for subsistence  
11 as set forth in this section.

12 “(2) An enlisted member is not entitled to the basic  
13 allowance for subsistence during basic training.

14 “(b) RATES OF ALLOWANCE BASED ON FOOD  
15 COSTS.—(1) The monthly rate of basic allowance for sub-  
16 sistence to be in effect for an enlisted member for a year  
17 (beginning on January 1 of that year) shall be the amount  
18 that is halfway between the following amounts, which are  
19 determined by the Secretary of Agriculture as of October  
20 1 of the preceding year:

21 “(A) The amount equal to the monthly cost of  
22 a moderate-cost food plan for a male in the United  
23 States who is between 20 and 50 years of age.

24 “(B) The amount equal to the monthly cost of  
25 a liberal food plan for a male in the United States  
26 who is between 20 and 50 years of age.

1       “(2) The monthly rate of basic allowance for subsist-  
2       ence to be in effect for an officer for a year (beginning  
3       on January 1 of that year) shall be the amount equal to  
4       the monthly rate of basic allowance for subsistence in ef-  
5       fect for officers for the preceding year, increased by the  
6       same percentage by which the rate of basic allowance for  
7       subsistence for enlisted members for the preceding year  
8       is increased effective on such January 1.

9       “(c) ADVANCE PAYMENT.—The allowance to an en-  
10      listed member may be paid in advance for a period of not  
11      more than three months.

12      “(d) SPECIAL RULE FOR MEMBERS AUTHORIZED TO  
13      MESS SEPARATELY.—(1) In areas prescribed by the Sec-  
14      retary of Defense, and the Secretary of Transportation  
15      with respect to the Coast Guard when it is not operating  
16      as a service in the Navy, an enlisted member described  
17      in paragraph (2) is entitled to not more than the pro rata  
18      allowance established under subsection (b)(1) for each  
19      meal the member buys from a source other than a messing  
20      facility of the United States.

21      “(2) An enlisted member referred to in paragraph (1)  
22      is a member who is granted permission to mess separately  
23      and whose duties require the member to buy at least one  
24      meal from a source other than a messing facility of the  
25      United States.

1       “(e) POLICIES ON USE OF DINING AND MESSING FA-  
2       CILITIES.—The Secretary of Defense, in consultation with  
3       the Secretaries concerned, shall prescribe policies regard-  
4       ing use of dining and field messing facilities of the uni-  
5       formed services.

6       “(f) REGULATIONS.—(1) The Secretary of Defense  
7       shall prescribe regulations for the administration of this  
8       section. Before prescribing the regulations, the Secretary  
9       shall consult with each Secretary concerned.

10       “(2) The regulations shall include the specific rates  
11       of basic allowance for subsistence required by subsection  
12       (b).”.

13       (b) CONFORMING AMENDMENTS.—(1) Section 404 of  
14       title 37, United States Code, is amended—

15               (A) by striking out subsection (g); and

16               (B) by redesignating subsections (h), (i), (j),  
17       and (k) as subsections (g), (h), (i), and (j), respec-  
18       tively.

19       (2) Section 6081(a) of title 10, United States Code,  
20       is amended by striking out “Except” and all that follows  
21       through “subsistence, each” and inserting in lieu thereof  
22       “Each”.

23       (c) TRANSITIONAL AUTHORITY TO PROVIDE BASIC  
24       ALLOWANCE FOR SUBSISTENCE.—

1           (1) TRANSITIONAL AUTHORITY.—Notwithstand-  
2           ing section 402 of title 37, United States Code, as  
3           amended by subsection (a), during the period begin-  
4           ning on January 1, 1998, and ending on the date  
5           determined under paragraph (2)—

6                   (A) the basic allowance for subsistence  
7                   shall not be paid under such section 402;

8                   (B) a member of the uniformed services is  
9                   entitled to the basic allowance for subsistence  
10                  only as provided in subsection (d);

11                  (C) an enlisted member of the uniformed  
12                  services may be paid a partial basic allowance  
13                  for subsistence as provided in subsection (e);  
14                  and

15                  (D) the rates of the basic allowance for  
16                  subsistence are those rates determined under  
17                  subsection (f).

18           (2) TERMINATION OF TRANSITIONAL AUTHOR-  
19           ITY.—The transitional authority provided under  
20           paragraph (1) shall terminate on the first day of the  
21           month immediately following the first month for  
22           which the monthly equivalent of the rate of basic al-  
23           lowance for subsistence payable to enlisted members  
24           of the uniformed services (when permission to mess  
25           separately is granted), as determined under sub-

1 section (f)(2), is equal to or is exceeded by the  
2 amount that, except for paragraph (1)(A), would  
3 otherwise be the monthly rate of basic allowance for  
4 subsistence for enlisted members under section  
5 402(b)(1) of title 37, United States Code, as amend-  
6 ed by subsection (a).

7 (d) TRANSITIONAL ENTITLEMENT TO ALLOW-  
8 ANCE.—

9 (1) ENLISTED MEMBERS.—

10 (A) TYPES OF ENTITLEMENT.—An en-  
11 listed member is entitled to the basic allowance  
12 for subsistence, on a daily basis, of under one  
13 or more of the following circumstances:

14 (i) When rations in kind are not avail-  
15 able.

16 (ii) When permission to mess sepa-  
17 rately is granted.

18 (iii) When assigned to duty under  
19 emergency conditions where no messing fa-  
20 cilities of the United States are available.

21 (B) OTHER ENTITLEMENT CIR-  
22 CUMSTANCES.—An enlisted member is entitled  
23 to the allowance while on an authorized leave of  
24 absence, while confined in a hospital, or while  
25 performing travel under orders away from the

1 member's designated post of duty other than  
2 field duty or sea duty (as defined in regulations  
3 prescribed by the Secretary of Defense). For  
4 purposes of the preceding sentence, a member  
5 shall not be considered to be performing travel  
6 under orders away from his designated post of  
7 duty if such member—

8 (i) is an enlisted member serving the  
9 member's first tour of active duty;

10 (ii) has not actually reported to a per-  
11 manent duty station pursuant to orders di-  
12 recting such assignment; and

13 (iii) is not actually traveling between  
14 stations pursuant to orders directing a  
15 change of station.

16 (C) ADVANCE PAYMENT.—The allowance  
17 to an enlisted member, when authorized, may  
18 be paid in advance for a period of not more  
19 than three months.

20 (2) OFFICERS.—An officer of a uniformed serv-  
21 ice who is entitled to basic pay is, at all times, enti-  
22 tled to the basic allowances for subsistence. An avia-  
23 tion cadet of the Navy, Air Force, Marine Corps, or  
24 Coast Guard is entitled to the same basic allowance  
25 for subsistence as is provided for an officer of the



1 Navy, Air Force, Marine Corps, or Coast Guard, re-  
2 spectively.

3 (e) TRANSITIONAL AUTHORITY FOR PARTIAL AL-  
4 LOWANCE.—

5 (1) ENLISTED MEMBERS FURNISHED SUBSIST-  
6 ENCE IN KIND.—The Secretary of Defense may pro-  
7 vide in regulations for an enlisted member of a uni-  
8 formed service to be paid a partial basic allowance  
9 for subsistence when—

10 (A) rations in kind are available to the  
11 member;

12 (B) the member is not granted permission  
13 to mess separately; or

14 (C) the member is assigned to duty under  
15 emergency conditions where messing facilities of  
16 the United States are available.

17 (2) MONTHLY PAYMENT.—Any partial basic al-  
18 lowance for subsistence authorized under paragraph  
19 (1) shall be calculated on a daily basis and paid on  
20 a monthly basis.

21 (f) TRANSITIONAL RATES.—

22 (1) ALLOWANCE FOR OFFICERS.—The monthly  
23 rate of basic allowance for subsistence for a year  
24 (beginning on January 1 of that year) that is pay-  
25 able to officers of the uniformed services shall be the

1 amount that is equal to 101 percent of the rate of  
2 basic allowance for subsistence that was payable to  
3 officers of the uniformed services for the preceding  
4 year.

5 (2) ALLOWANCE FOR ENLISTED MEMBER WITH  
6 PERMISSION TO MESS SEPARATELY.—The monthly  
7 rate of basic allowance for subsistence for a year  
8 (beginning on January 1 of that year) that is pay-  
9 able to an enlisted member of the uniformed services  
10 entitled to the allowance under subsection (d)(1)  
11 shall be the amount that is equal to 101 percent of  
12 the rate of basic allowance for subsistence that was  
13 in effect for similarly situated enlisted members of  
14 the uniformed services for the preceding year.

15 (3) PARTIAL ALLOWANCE FOR OTHER EN-  
16 LISTED MEMBERS.—The monthly rate of any partial  
17 basic allowance for subsistence for a year (beginning  
18 on January 1 of that year) payable to an enlisted  
19 member of the uniformed services eligible for the al-  
20 lowance under the regulations prescribed under sub-  
21 section (e)(1) shall be the amount equal to the lesser  
22 of the following:

23 (A) The sum of—

1 (i) the partial basic allowance for sub-  
2 sistence in effect for the preceding year;  
3 and

4 (ii) the amount equal to the dif-  
5 ference, if any, between—

6 (I) the monthly equivalent of the  
7 rate of basic allowance for subsistence  
8 that was in effect for the preceding  
9 year for members of the uniformed  
10 services above grade E-1 (when per-  
11 mission to mess separately is grant-  
12 ed), increased by the same percentage  
13 by which the rates of basic pay for  
14 members of the uniformed services is  
15 increased for the current year; and

16 (II) the amount equal to 101 per-  
17 cent of the monthly equivalent of the  
18 rate of basic allowance for subsistence  
19 that was in effect for the previous  
20 year for members of the uniformed  
21 services above grade E-1 (when per-  
22 mission to mess separately is grant-  
23 ed),

24 with the amount so determined under this  
25 clause multiplied by the number of mem-

1           bers estimated to be entitled to receive  
2           basic allowance for subsistence under sub-  
3           section (d) for the current year and then  
4           divided by the number of members esti-  
5           mated to be eligible for the partial allow-  
6           ance under the regulations prescribed  
7           under subsection (e)(1) for that year.

8           (B) The amount equal to the difference be-  
9           tween—

10           (i) the amount that, except for sub-  
11           section (c)(1)(A), would otherwise be the  
12           monthly rate of basic allowance for subsist-  
13           ence for enlisted members under section  
14           402(b)(1) of title 37, United States Code;  
15           and

16           (ii) the amount equal to the monthly  
17           equivalent of the value of a daily ration, as  
18           determined by the Under Secretary of De-  
19           fense (Comptroller) as of October 1 of the  
20           preceding year.

21           (g) EFFECTIVE DATE.—This section and the amend-  
22           ments made by this section shall take effect on January  
23           1, 1998.

1 **SEC. 103. CONSOLIDATION OF BASIC ALLOWANCE FOR**  
2 **QUARTERS, VARIABLE HOUSING ALLOWANCE,**  
3 **AND OVERSEAS HOUSING ALLOWANCES.**

4 (a) CONSOLIDATION OF ALLOWANCES.—Section 403  
5 of title 37, United States Code, is amended to read as  
6 follows:

7 **“§ 403. Basic allowance for housing**

8 “(a) GENERAL ENTITLEMENT.—(1) Except as other-  
9 wise provided by law, a member of a uniformed service  
10 who is entitled to basic pay is entitled to a basic allowance  
11 for housing at the monthly rates prescribed under this sec-  
12 tion or another provision of law with regard to the applica-  
13 ble component of the basic allowance for housing. The  
14 amount of the basic allowance for housing for a member  
15 will vary according to the pay grade in which the member  
16 is assigned or distributed for basic pay purposes, the de-  
17 pendency status of the member, and the geographic loca-  
18 tion of the member. The basic allowance for housing may  
19 be paid in advance.

20 “(2) A member of a uniformed service with depend-  
21 ents is not entitled to a basic allowance for housing as  
22 a member with dependents unless the member makes a  
23 certification to the Secretary concerned indicating the sta-  
24 tus of each dependent of the member. The certification  
25 shall be made in accordance with regulations prescribed  
26 by the Secretary of Defense.

1       “(b) BASIC ALLOWANCE FOR HOUSING INSIDE THE  
2 UNITED STATES.—(1) The Secretary of Defense shall de-  
3 termine the costs of adequate housing in a military hous-  
4 ing area in the United States for all members of the uni-  
5 formed services entitled to a basic allowance for housing  
6 in that area. The Secretary shall base the determination  
7 upon the costs of adequate housing for civilians with com-  
8 parable income levels in the same area.

9       “(2) Subject to paragraph (3), the monthly amount  
10 of a basic allowance for housing for an area of the United  
11 States for a member of a uniformed service is equal to  
12 the difference between—

13               “(A) the monthly cost of adequate housing in  
14 that area, as determined by the Secretary of De-  
15 fense, for members of the uniformed services serving  
16 in the same pay grade and with the same depend-  
17 ency status as the member; and

18               “(B) 15 percent of the national average month-  
19 ly cost of adequate housing in the United States, as  
20 determined by the Secretary, for members of the  
21 uniformed services serving in the same pay grade  
22 and with the same dependency status as the mem-  
23 ber.

24       “(3) The rates of basic allowance for housing shall  
25 be reduced as necessary to comply with this paragraph.

1 The total amount that may be paid for a fiscal year for  
2 the basic allowance for housing under this subsection is  
3 the product of—

4 “(A) the total amount authorized to be paid for  
5 such allowance for the preceding fiscal year (as ad-  
6 justed under paragraph (5)); and

7 “(B) a fraction—

8 “(i) the numerator of which is the index of  
9 the national average monthly cost of housing  
10 for June of the preceding fiscal year; and

11 “(ii) the denominator of which is the index  
12 of the national average monthly cost of housing  
13 for June of the fiscal year before the preceding  
14 fiscal year.

15 “(4) An adjustment in the rates of the basic allow-  
16 ance for housing under this subsection as a result of the  
17 Secretary’s redetermination of housing costs in an area  
18 shall take effect on the same date as the effective date  
19 of the next increase in basic pay under section 1009 of  
20 this title or other provision of law.

21 “(5) In making a determination under paragraph (3)  
22 for a fiscal year, the amount authorized to be paid for  
23 the preceding fiscal year for the basic allowance for hous-  
24 ing shall be adjusted to reflect changes during the year  
25 for which the determination is made in the number, grade

1 distribution, geographic distribution in the United States,  
2 and dependency status of members of the uniformed serv-  
3 ices entitled to the allowance from the number of such  
4 members during the preceding fiscal year.

5 “(6) So long as a member of a uniformed service re-  
6 tains uninterrupted eligibility to receive a basic allowance  
7 for housing within an area of the United States, the  
8 monthly amount of the allowance for the member may not  
9 be reduced as a result of changes in housing costs in the  
10 area, changes in the national average monthly cost of  
11 housing, or the promotion of the member.

12 “(7) In the case of a member without dependents who  
13 is assigned to duty inside the United States, the location  
14 or the circumstances of which make it necessary that the  
15 member be reassigned under the conditions of low cost or  
16 no cost permanent change of station or permanent change  
17 of assignment, the member may be treated as if the mem-  
18 ber were not reassigned if the Secretary concerned deter-  
19 mines that it would be inequitable to base the member’s  
20 entitlement to, and amount of, a basic allowance for hous-  
21 ing on the cost of housing in the area to which the member  
22 is reassigned.

23 “(c) BASIC ALLOWANCE FOR HOUSING OUTSIDE THE  
24 UNITED STATES.—(1) The Secretary of Defense may pre-  
25 scribe an overseas basic allowance for housing for a mem-



1 ber of a uniformed service who is on duty outside of the  
2 United States. The Secretary shall establish the basic al-  
3 lowance for housing under this subsection on the basis of  
4 housing costs in the overseas area in which the member  
5 is assigned.

6 “(2) So long as a member of a uniformed service re-  
7 tains uninterrupted eligibility to receive a basic allowance  
8 for housing in an overseas area and the actual monthly  
9 cost of housing for the member is not reduced, the month-  
10 ly amount of the allowance in an area outside the United  
11 States may not be reduced as a result of changes in hous-  
12 ing costs in the area or the promotion of the member. The  
13 monthly amount of the allowance may be adjusted to re-  
14 flect changes in currency rates.

15 “(d) BASIC ALLOWANCE FOR HOUSING WHEN DE-  
16 PENDENTS ARE UNABLE TO ACCOMPANY MEMBER.—(1)  
17 A member of a uniformed service with dependents who is  
18 on permanent duty at a location described in paragraph  
19 (2) is entitled to a family separation basic allowance for  
20 housing under this subsection at a monthly rate equal to  
21 the rate of the basic allowance for housing established  
22 under subsection (b) or the overseas basic allowance for  
23 housing established under subsection (c), whichever ap-  
24 plies to that location, for members in the same grade at  
25 that location without dependents.

1       “(2) A permanent duty location referred to in para-  
2 graph (1) is a location—

3               “(A) to which the movement of the member’s  
4 dependents is not authorized at the expense of the  
5 United States under section 406 of this title, and  
6 the member’s dependents do not reside at or near  
7 the location; and

8               “(B) at which quarters of the United States are  
9 not available for assignment to the member.

10       “(3) In the case of a member with dependents who  
11 is assigned to duty at a location or under circumstances  
12 that, as determined by the Secretary concerned, require  
13 the member’s dependents to reside at a different location,  
14 the member shall receive a basic allowance for housing,  
15 as provided in subsection (a) or (b), as if the member were  
16 assigned to duty in the area in which the dependents re-  
17 side, regardless of whether the member resides in quarters  
18 of the United States or is also entitled to a family separa-  
19 tion basic allowance for housing by reason of paragraph  
20 (1).

21       “(4) The family separation basic allowance for hous-  
22 ing under this subsection shall be in addition to any other  
23 allowance or per diem that the member is otherwise enti-  
24 tled to receive under this title. A member may receive a

1 basic allowance for housing under both paragraphs (1)  
2 and (3).

3 “(e) EFFECT OF ASSIGNMENT TO QUARTERS.—(1)  
4 Except as otherwise provided by law, a member of a uni-  
5 formed service who is assigned to quarters of the United  
6 States or a housing facility under the jurisdiction of a uni-  
7 formed service appropriate to the grade, rank, or rating  
8 of the member and adequate for the member and depend-  
9 ents of the member, if with dependents, is not entitled to  
10 a basic allowance for housing.

11 “(2) A member without dependents who is in a pay  
12 grade above pay grade E–6 and who is assigned to quar-  
13 ters in the United States or a housing facility under the  
14 jurisdiction of a uniformed service, appropriate to the  
15 grade or rank of the member and adequate for the mem-  
16 ber, may elect not to occupy those quarters and instead  
17 to receive the basic allowance for housing prescribed for  
18 the member’s pay grade by this section.

19 “(3) A member without dependents who is in pay  
20 grade E–6 and who is assigned to quarters of the United  
21 States that do not meet the minimum adequacy standards  
22 established by the Secretary of Defense for members in  
23 such pay grade, or to a housing facility under the jurisdic-  
24 tion of a uniformed service that does not meet such stand-  
25 ards, may elect not to occupy such quarters or facility and

1 instead to receive the basic allowance for housing pre-  
2 scribed for the member's pay grade under this section.

3       “(4) The Secretary concerned may deny the right to  
4 make an election under paragraph (2) or (3) if the Sec-  
5 retary determines that the exercise of such an election  
6 would adversely affect a training mission, military dis-  
7 cipline, or military readiness.

8       “(5) A member with dependents who is assigned to  
9 quarters of the United States or a housing facility under  
10 the jurisdiction of a uniformed service may be paid the  
11 basic allowance for housing if, because of orders of com-  
12 petent authority, the dependents are prevented from occu-  
13 pying those quarters.

14       “(f) INELIGIBILITY DURING INITIAL FIELD DUTY OR  
15 SEA DUTY.—(1) A member of a uniformed service without  
16 dependents who makes a permanent change of station for  
17 assignment to a unit conducting field operations is not en-  
18 titled to a basic allowance for housing while on that initial  
19 field duty unless the commanding officer of the member  
20 certifies that the member was necessarily required to pro-  
21 cure quarters at the member's expense.

22       “(2)(A) Except as provided in subparagraphs (B)  
23 and (C), a member of a uniformed service without depend-  
24 ents who is in a pay grade below pay grade E-6 is not

1 entitled to a basic allowance for housing while the member  
2 is on sea duty.

3       “(B) Under regulations prescribed by the Secretary  
4 concerned, the Secretary may authorize the payment of  
5 a basic allowance for housing to a member of a uniformed  
6 service without dependents who is serving in pay grade  
7 E-5 and is assigned to sea duty. In prescribing regula-  
8 tions under this subparagraph, the Secretary concerned  
9 shall consider the availability of quarters for members  
10 serving in pay grade E-5.

11       “(C) Notwithstanding section 421 of this title, two  
12 members of the uniformed services in a pay grade below  
13 pay grade E-6 who are married to each other, have no  
14 other dependents, and are simultaneously assigned to sea  
15 duty are jointly entitled to one basic allowance for housing  
16 during the period of such simultaneous sea duty. The  
17 amount of the allowance shall be based on the without de-  
18 pendants rate for the pay grade of the senior member of  
19 the couple. However, this subparagraph shall not apply to  
20 a couple if one or both of the members are entitled to  
21 a basic allowance for housing under subparagraph (B).

22       “(3) The Secretary of Defense, and the Secretary of  
23 Transportation with respect to the Coast Guard when it  
24 is not operating as a service in the Department of the

1 Navy, shall prescribe regulations defining the terms ‘field  
2 duty’ and ‘sea duty’ for purposes of this section.

3 “(g) RESERVE MEMBERS.—(1) A member of a re-  
4 serve component without dependents who is called or or-  
5 dered to active duty in support of a contingency operation,  
6 or a retired member without dependents who is ordered  
7 to active duty under section 688(a) of title 10 in support  
8 of a contingency operation, may not be denied a basic al-  
9 lowance for housing if, because of that call or order, the  
10 member is unable to continue to occupy a residence—

11 “(A) which is maintained as the primary resi-  
12 dence of the member at the time of the call or order;  
13 and

14 “(B) which is owned by the member or for  
15 which the member is responsible for rental pay-  
16 ments.

17 “(2) Paragraph (1) shall not apply if the member is  
18 authorized transportation of household goods under sec-  
19 tion 406 of this title as part of the call or order to active  
20 duty described in such paragraph.

21 “(3) The Secretary of Defense shall establish a rate  
22 of basic allowance for housing to be paid to a member  
23 of a reserve component while the member serves on active  
24 duty under a call or order to active duty specifying a pe-

1 riod of less than 140 days, unless the call or order to ac-  
2 tive duty is in support of a contingency operation.

3       “(h) RENTAL OF PUBLIC QUARTERS.—Notwith-  
4 standing any other law (including those restricting the oc-  
5 cupancy of housing facilities under the jurisdiction of a  
6 department or agency of the United States by members,  
7 and their dependents, of the armed forces above specified  
8 grades, or by members, and their dependents, of the Na-  
9 tional Oceanic and Atmospheric Administration and the  
10 Public Health Service), a member of a uniformed service,  
11 and the dependents of the member, may be accepted as  
12 tenants in, and may occupy on a rental basis, any of those  
13 housing facilities, other than public quarters constructed  
14 or designated for assignment to an occupancy without  
15 charge by such a member and the dependents of the mem-  
16 ber, if any. Such a member may not, because of occupancy  
17 under this subsection, be deprived of any money allowance  
18 to which the member is otherwise entitled for the rental  
19 of quarters.

20       “(i) TEMPORARY HOUSING ALLOWANCE WHILE IN  
21 TRAVEL OR LEAVE STATUS.—A member of a uniformed  
22 service who is in a pay grade E-4 (4 or more years of  
23 service) or above is entitled to a temporary basic allowance  
24 for housing (at a rate determined by the Secretary of De-  
25 fense) while the member is in a travel or leave status be-

1 tween permanent duty stations, including time granted as  
2 delay en route or proceed time, when the member is not  
3 assigned to quarters of the United States.

4 “(j) AVIATION CADETS.—The eligibility of an avia-  
5 tion cadet of the Navy, Air Force, Marine Corps, or Coast  
6 Guard for a basic allowance for housing shall be deter-  
7 mined as if the aviation cadet were a member of the uni-  
8 formed services in pay grade E-4.

9 “(k) ADMINISTRATION.—(1) The Secretary of De-  
10 fense shall prescribe regulations for the administration of  
11 this section.

12 “(2) The Secretary concerned may make such deter-  
13 minations as may be necessary to administer this section,  
14 including determinations of dependency and relationship.  
15 When warranted by the circumstances, the Secretary con-  
16 cerned may reconsider and change or modify any such de-  
17 termination. The authority of the Secretary concerned  
18 under this subsection may be delegated. Any determina-  
19 tion made under this section with regard to a member of  
20 the uniformed services is final and is not subject to review  
21 by any accounting officer of the United States or a court,  
22 unless there is fraud or gross negligence.

23 “(3) Parking facilities (including utility connections)  
24 provided members of the uniformed services for house  
25 trailers and mobile homes not owned by the Government



1 shall not be considered to be quarters for the purposes  
2 of this section or any other provision of law. Any fees es-  
3 tablished by the Government for the use of such a facility  
4 shall be established in an amount sufficient to cover the  
5 cost of maintenance, services, and utilities and to amortize  
6 the cost of construction of the facility over the 25-year  
7 period beginning with the completion of such construction.

8       “(1) TEMPORARY CONTINUATION OF ALLOWANCE  
9 FOR DEPENDENTS OF MEMBERS DYING ON ACTIVE  
10 DUTY.—(1) The Secretary of Defense, or the Secretary  
11 of Transportation in the case of the Coast Guard when  
12 not operating as a service in the Navy, may allow the de-  
13 pendants of a member of the armed forces who dies on  
14 active duty and whose dependents are occupying family  
15 housing provided by the Department of Defense, or by the  
16 Department of Transportation in the case of the Coast  
17 Guard, other than on a rental basis on the date of the  
18 member’s death to continue to occupy such housing with-  
19 out charge for a period of 180 days.

20       “(2) The Secretary concerned may pay a basic allow-  
21 ance for housing (at the rate that is payable for members  
22 of the same grade and dependency status as the deceased  
23 member for the area where the dependents are residing)  
24 to the dependents of a member of the uniformed services  
25 who dies while on active duty and whose dependents—

1           “(A) are not occupying a housing facility under  
2           the jurisdiction of a uniformed service on the date  
3           of the member’s death;

4           “(B) are occupying such housing on a rental  
5           basis on such date; or

6           “(C) vacate such housing sooner than 180 days  
7           after the date of the member’s death.

8           “(3) The payment of the allowance under paragraph  
9           (2) shall terminate 180 days after the date of the mem-  
10          ber’s death.

11          “(m) MEMBERS PAYING CHILD SUPPORT.—(1) A  
12          member of a uniformed service with dependents may not  
13          be paid a basic allowance for housing at the with depend-  
14          ents rate solely by reason of the payment of child support  
15          by the member if—

16               “(A) the member is assigned to a housing facil-  
17               ity under the jurisdiction of a uniformed service; or

18               “(B) the member is assigned to sea duty, and  
19               elects not to occupy assigned quarters for unaccom-  
20               panied personnel, unless the member is in a pay  
21               grade above E-4.

22          “(2) A member of a uniformed service assigned to  
23          quarters of the United States or a housing facility under  
24          the jurisdiction of a uniformed service who is not other-  
25          wise authorized a basic allowance for housing and who

1 pays child support is entitled to the basic allowance for  
2 housing differential, except for months for which the  
3 amount payable for the child support is less than the rate  
4 of the differential. Payment of a basic allowance for hous-  
5 ing differential does not affect any entitlement of the  
6 member to a partial allowance for quarters under sub-  
7 section (n).

8 “(3) The basic allowance for housing differential to  
9 which a member is entitled under paragraph (2) is the  
10 amount equal to the difference between—

11 “(A) the rate of the basic allowance for quar-  
12 ters (with dependents) for the member’s pay grade,  
13 as such rate was in effect on December 31, 1997,  
14 under this section (as in effect on that date); and

15 “(B) the rate of the basic allowance for quar-  
16 ters (without dependents) for the member’s pay  
17 grade, as such rate was in effect on December 31,  
18 1997, under this section (as in effect on that date).

19 “(4) Whenever the rates of basic pay for members  
20 of the uniformed services are increased, the monthly  
21 amount of the basic allowance for housing differential  
22 computed under paragraph (3) shall be increased by the  
23 average percentage increase in the rates of basic pay. The  
24 effective date of the increase shall be the same date as  
25 the effective date of the increase in the rates of basic pay.

1       “(5) In the case of two members, who have one or  
2 more common dependents (and no others), who are not  
3 married to each other, and one of whom pays child support  
4 to the other, the amount of the basic allowance for housing  
5 paid to each member under this section shall be reduced  
6 in accordance with regulations prescribed by the Secretary  
7 of Defense. The total amount of the basic allowances for  
8 housing paid to the two members may not exceed the sum  
9 of the amounts of the allowance to which each member  
10 would be otherwise entitled under this section.

11       “(n) PARTIAL ALLOWANCE FOR MEMBERS WITHOUT  
12 DEPENDENTS.—(1) A member of a uniformed service  
13 without dependents who is not entitled to receive a basic  
14 allowance for housing under subsection (b), (c), or (d) is  
15 entitled to a partial basic allowance for housing at a rate  
16 determined by the Secretary of Defense under paragraph  
17 (2).

18       “(2) The rate of the partial basic allowance for hous-  
19 ing is the partial rate of the basic allowance for quarters  
20 for the member’s pay grade as such partial rate was in  
21 effect on December 31, 1997, under section 1009(c)(2)  
22 of this title (as such section was in effect on such date).”.

23       (b) TRANSITION TO BASIC ALLOWANCE FOR HOUS-  
24 ING.—The Secretary of Defense shall develop and imple-  
25 ment a plan to incrementally manage the rate of growth

1 of the various components of the basic allowance for hous-  
2 ing authorized by section 403 of title 37, United States  
3 Code (as amended by subsection (a)), during a transition  
4 period of not more than six years. During the transition  
5 period, the Secretary may continue to use the authorities  
6 provided under sections 403, 403a, 405(b), and 427(a) of  
7 title 37, United States Code (as in effect on the day before  
8 the date of the enactment of this Act), but subject to such  
9 modifications as the Secretary considers necessary, to pro-  
10 vide allowances for members of the uniformed services.

11 (c) REPEAL OF SUPERSEDED AUTHORITIES.—(1)  
12 Section 403a of title 37, United States Code, is repealed.

13 (2) Section 405 of such title is amended—

14 (A) by striking out subsection (b); and

15 (B) by redesignating subsections (c) and (d) as  
16 subsections (b) and (c), respectively.

17 (3) Section 427 of such title is amended—

18 (A) by striking out subsection (a); and

19 (B) in subsection (b)—

20 (i) by striking out “(b) ADDITIONAL  
21 SEPARATION ALLOWANCE.—” and inserting in  
22 lieu thereof “(a) ENTITLEMENT TO  
23 ALLOWANCE.—”;

24 (ii) in paragraph (1)—

1 (I) by striking out “, including sub-  
 2 section (a),” in the matter preceding the  
 3 subparagraphs;

4 (II) by inserting “or” at the end of  
 5 subparagraph (B);

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

9 (IV) by striking out subparagraph  
 10 (D);

11 (iii) in paragraph (3)—

12 (I) by striking out “(3) An allowance”  
 13 and inserting in lieu thereof “(b) ENTI-  
 14 TLEMENT WHEN NO RESIDENCE OR  
 15 HOUSEHOLD MAINTAINED FOR DEPEND-  
 16 ENTS.—An allowance”; and

17 (II) by striking out “this subsection”  
 18 and inserting in lieu thereof “subsection  
 19 (a)”;

20 (iv) in paragraph (4)—

21 (I) by striking out “(4) A member”  
 22 and inserting in lieu thereof “(c) EFFECT  
 23 OF ELECTION TO SERVE UNACCOMPANIED  
 24 TOUR OF DUTY.—A member”; and

1 (II) by striking out “paragraph (1)(A)  
2 of this subsection” and inserting in lieu  
3 thereof “subsection (a)(1)(A)”; and  
4 (v) by striking out paragraph (5) and in-  
5 serting in lieu thereof the following new sub-  
6 section:

7 “(d) ENTITLEMENT WHILE SPOUSE ENTITLED TO  
8 BASIC PAY.—A member married to another member of  
9 the uniformed services becomes entitled, regardless of any  
10 other dependency status, to an allowance under subsection  
11 (a) by virtue of duty prescribed in subparagraph (A), (B),  
12 or (C) of paragraph (1) of such subsection if the members  
13 were residing together immediately before being separated  
14 by reasons of execution of military orders. Section 421 of  
15 this title does not apply to bar the entitlement to an allow-  
16 ance under this section. However, not more than one  
17 monthly allowance may be paid with respect to a married  
18 couple under this section.”.

19 (4) The table of sections at the beginning of chapter  
20 7 of title 37, United States Code, is amended by striking  
21 out the items relating to sections 403 and 403a and insert-  
22 ing in lieu thereof the following new item:

“403. Basic allowance for housing.”.

23 (d) CONFORMING AMENDMENTS.—(1) Title 37, Unit-  
24 ed States Code, is amended—

1 (A) in section 101(25), by striking out “basic  
2 allowance for quarters (including any variable hous-  
3 ing allowance or station housing allowance)” and in-  
4 serting in lieu thereof “basic allowance for housing”;

5 (B) in section 406(c), by striking out “sections  
6 404 and 405” and inserting in lieu thereof “sections  
7 403(c), 404, and 405”;

8 (C) in section 420(c), by striking out “quar-  
9 ters” and inserting in lieu thereof “housing”;

10 (D) in section 551(3)(D), by striking out “basic  
11 allowance for quarters” and inserting in lieu thereof  
12 “basic allowance for housing”; and

13 (E) in section 1014(a), by striking out “basic  
14 allowance for quarters” and inserting in lieu thereof  
15 “basic allowance for housing”.

16 (2) Title 10, United States Code, is amended—

17 (A) in section 708(c)(1), by striking out “basic  
18 allowance for quarters or basic allowance for subsist-  
19 ence” and inserting in lieu thereof “basic allowance  
20 for housing under section 403 of title 37, basic al-  
21 lowance for subsistence under section 402 of such  
22 title,”;

23 (B) in section 2830(a)—

24 (i) in paragraph (1), by striking out “basic  
25 allowance for quarters” and inserting in lieu



1           thereof “basic allowance for housing under sec-  
2           tion 403 of title 37”; and

3                   (ii) in paragraph (2), by striking out  
4           “basic allowance for quarters” and inserting in  
5           lieu thereof “basic allowance for housing”;

6           (C) in section 2882(b)—

7                   (i) in paragraph (1), by striking out “sec-  
8           tion 403(b)” and inserting in lieu thereof “sec-  
9           tion 403”; and

10                   (ii) in paragraph (2), by striking out  
11           “basic allowance for quarters” and all that fol-  
12           lows through the end of the paragraph and in-  
13           serting in lieu thereof “basic allowance for  
14           housing under section 403 of title 37.”;

15           (D) in section 7572(b)—

16                   (i) in paragraph (1), by striking out “the  
17           total of—” and all that follows through the end  
18           of the paragraph and inserting in lieu thereof  
19           “the basic allowance for housing payable under  
20           section 403 of title 37 to a member of the same  
21           pay grade without dependents for the period  
22           during which the member is deprived of quar-  
23           ters on board ship.”; and

1                   (ii) in paragraph (2), by striking out  
2                   “basic allowance for quarters” and inserting in  
3                   lieu thereof “basic allowance for housing”; and  
4                   (E) in section 7573, by striking out “basic al-  
5                   lowance for quarters” and inserting in lieu thereof  
6                   “basic allowance for housing under section 403 of  
7                   title 37”.

8                   (3) Section 5561(6)(D) of title 5, United States  
9                   Code, is amended by striking out “basic allowance for  
10                  quarters” and inserting in lieu thereof “basic allowance  
11                  for housing”.

12                  (4) Section 107(b) of title 32, United States Code,  
13                  is amended by striking out “and quarters” and inserting  
14                  in lieu thereof “and housing”.

15                  (5) Section 4(k)(10) of the Military Selective Service  
16                  Act (50 U.S.C. App. 454(k)(10)) is amended by striking  
17                  out “as such terms” and all that follows through “ex-  
18                  tended or amended” and inserting in lieu thereof “shall  
19                  be entitled to receive a dependency allowance equal to the  
20                  basic allowance for housing provided for persons in pay  
21                  grade E–1 under section 403 of title 37, United States  
22                  Code,”.

23                  (e) EFFECTIVE DATE.—This section and the amend-  
24                  ments made by this section shall take effect on January  
25                  1, 1998.

1 **SEC. 104. REVISION OF AUTHORITY TO ADJUST COMPENSA-**  
2 **TION NECESSITATED BY REFORM OF SUB-**  
3 **SISTENCE AND HOUSING ALLOWANCES.**

4 (a) REMOVAL OF REFERENCES TO BAS AND BAQ.—

5 (1) Section 1009 of title 37, United States Code, is  
6 amended to read as follows:

7 **“§ 1009. Adjustments of monthly basic pay**

8 “(a) ADJUSTMENT REQUIRED.—Whenever the Gen-  
9 eral Schedule of compensation for Federal classified em-  
10 ployees, as contained in section 5332 of title 5, is adjusted  
11 upward as provided in section 5303 of such title, the  
12 President shall immediately make an upward adjustment  
13 in the monthly basic pay authorized members of the uni-  
14 formed services by section 203(a) of this title.

15 “(b) EFFECTIVENESS OF ADJUSTMENT.—An adjust-  
16 ment under this section shall—

17 “(1) have the force and effect of law; and

18 “(2) carry the same effective date as that ap-  
19 plying to the compensation adjustments provided  
20 General Schedule employees.

21 “(c) EQUAL PERCENTAGE INCREASE FOR ALL MEM-  
22 BERS.—Subject to subsection (d), an adjustment under  
23 this section shall provide all eligible members with an in-  
24 crease in the monthly basic pay which is of the same per-  
25 centage as the overall average percentage increase in the

1 General Schedule rates of both basic pay and locality pay  
2 for civilian employees.

3 “(d) ALLOCATION OF INCREASE AMONG PAY  
4 GRADES AND YEARS-OF-SERVICE.—(1) Subject to para-  
5 graph (2), whenever the President determines such action  
6 to be in the best interest of the Government, he may allo-  
7 cate the overall percentage increase in the monthly basic  
8 pay under subsection (a) among such pay grade and years-  
9 of-service categories as he considers appropriate.

10 “(2) In making any allocation of an overall percent-  
11 age increase in basic pay under paragraph (1)—

12 “(A) the amount of the increase in basic pay  
13 for any given pay grade and years-of-service cat-  
14 egory after any allocation made under this sub-  
15 section may not be less than 75 percent of the  
16 amount of the increase in the monthly basic pay that  
17 would otherwise have been effective with respect to  
18 such pay grade and years-of-service category under  
19 subsection (c); and

20 “(B) the percentage increase in the monthly  
21 basic pay in the case of any member of the uni-  
22 formed services with four years or less service may  
23 not exceed the overall percentage increase in the  
24 General Schedule rates of basic pay for civilian em-  
25 ployees.

1       “(e) NOTICE OF ALLOCATIONS.—Whenever the  
 2 President plans to exercise the authority of the President  
 3 under subsection (d) with respect to any anticipated in-  
 4 crease in the monthly basic pay of members of the uni-  
 5 formed services, the President shall advise Congress, at  
 6 the earliest practicable time prior to the effective date of  
 7 such increase, regarding the proposed allocation of such  
 8 increase.

9       “(f) QUADRENNIAL ASSESSMENT OF ALLOCA-  
 10 TIONS.—The allocations of increases made under this sec-  
 11 tion shall be assessed in conjunction with the quadrennial  
 12 review of military compensation required by section  
 13 1008(b) of this title.”.

14       (2) The item relating to such section in the table of  
 15 sections at the beginning of chapter 19 of such title is  
 16 amended to read as follows:

“1009. Adjustments of monthly basic pay.”.

17       (b) EFFECTIVE DATE.—The amendments made by  
 18 subsection (a) shall take effect on January 1, 1998.

19       **SEC. 105. PROTECTION OF TOTAL COMPENSATION OF MEM-**  
 20                                   **BERS WHILE PERFORMING CERTAIN DUTY.**

21       Section 1009 of title 37, United States Code, as  
 22 amended by section 104, is further amended—

23               (1) by redesignating subsection (f) as sub-  
 24               section (g); and

1           (2) by inserting after subsection (e) the follow-  
2           ing new subsection:

3           “(f) PROTECTION OF MEMBER’S TOTAL COMPENSA-  
4           TION WHILE PERFORMING CERTAIN DUTY.—(1) The  
5           total daily equivalent amount of the elements of compensa-  
6           tion described in paragraph (3), together with other pay  
7           and allowances under this title, to be paid to a member  
8           of the uniformed services who is temporarily assigned to  
9           duty away from the member’s permanent duty station or  
10          to duty under field conditions at the member’s permanent  
11          duty station shall not be less, for any day during the as-  
12          signment period, than the total amount, for the day imme-  
13          diately preceding the date of the assignment, of the ele-  
14          ments of compensation and other pay and allowances of  
15          the member.

16          “(2) Paragraph (1) shall not apply with respect to  
17          an element of compensation or other pay or allowance of  
18          a member during an assignment described in such para-  
19          graph to the extent that the element of compensation or  
20          other pay or allowance is reduced or terminated due to  
21          circumstances unrelated to the assignment.

22          “(3) The elements of compensation referred to in this  
23          subsection mean—

1 “(A) the monthly basic pay authorized members  
2 of the uniformed services by section 203(a) of this  
3 title;

4 “(B) the basic allowance for subsistence author-  
5 ized members of the uniformed services by section  
6 402 of this title; and

7 “(C) the basic allowance for housing authorized  
8 members of the uniformed services by section 403 of  
9 this title.”

## 10 **Subtitle B—Bonuses and Special** 11 **and Incentive Pays**

### 12 **SEC. 111. ONE-YEAR EXTENSION OF CERTAIN BONUSES** 13 **AND SPECIAL PAY AUTHORITIES FOR RE-** 14 **SERVE FORCES.**

15 (a) SPECIAL PAY FOR HEALTH PROFESSIONALS IN  
16 CRITICALLY SHORT WARTIME SPECIALTIES.—Section  
17 302g(f) of title 37, United States Code, is amended by  
18 striking out “September 30, 1998” and inserting in lieu  
19 thereof “September 30, 1999”.

20 (b) SELECTED RESERVE REENLISTMENT BONUS.—  
21 Section 308b(f) of title 37, United States Code, is amend-  
22 ed by striking out “September 30, 1998” and inserting  
23 in lieu thereof “September 30, 1999”.

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

1 by striking out “September 30, 1998” and inserting in  
2 lieu thereof “September 30, 1999”.

3 (d) SPECIAL PAY FOR ENLISTED MEMBERS AS-  
4 SIGNED TO CERTAIN HIGH PRIORITY UNITS.—Section  
5 308d(c) of title 37, United States Code, is amended by  
6 striking out “September 30, 1998” and inserting in lieu  
7 thereof “September 30, 1999”.

8 (e) SELECTED RESERVE AFFILIATION BONUS.—Sec-  
9 tion 308e(e) of title 37, United States Code, is amended  
10 by striking out “September 30, 1998” and inserting in  
11 lieu thereof “September 30, 1999”.

12 (f) READY RESERVE ENLISTMENT AND REENLIST-  
13 MENT BONUS.—Section 308h(g) of title 37, United States  
14 Code, is amended by striking out “September 30, 1998”  
15 and inserting in lieu thereof “September 30, 1999”.

16 (g) PRIOR SERVICE ENLISTMENT BONUS.—Section  
17 308i(f) of title 37, United States Code, as redesignated  
18 by section 622, is amended by striking out “September  
19 30, 1998” and inserting in lieu thereof “September 30,  
20 1999”.

21 (h) REPAYMENT OF EDUCATION LOANS FOR CER-  
22 TAIN HEALTH PROFESSIONALS WHO SERVE IN THE SE-  
23 LECTED RESERVE.—Section 16302(d) of title 10, United  
24 States Code, is amended by striking out “October 1,  
25 1998” and inserting in lieu thereof “October 1, 1999”.



1 **SEC. 112. ONE-YEAR EXTENSION OF CERTAIN BONUSES**  
2 **AND SPECIAL PAY AUTHORITIES FOR NURSE**  
3 **OFFICER CANDIDATES, REGISTERED NURSES,**  
4 **AND NURSE ANESTHETISTS.**

5 (a) NURSE OFFICER CANDIDATE ACCESSION PRO-  
6 GRAM.—Section 2130a(a)(1) of title 10, United States  
7 Code, is amended by striking out “September 30, 1998”  
8 and inserting in lieu thereof “September 30, 1999”.

9 (b) ACCESSION BONUS FOR REGISTERED NURSES.—  
10 Section 302d(a)(1) of title 37, United States Code, is  
11 amended by striking out “September 30, 1998” and in-  
12 serting in lieu thereof “September 30, 1999”.

13 (c) INCENTIVE SPECIAL PAY FOR NURSE ANES-  
14 THETISTS.—Section 302e(a)(1) of title 37, United States  
15 Code, is amended by striking out “September 30, 1998”  
16 and inserting in lieu thereof “September 30, 1999”.

17 **SEC. 113. ONE-YEAR EXTENSION OF AUTHORITIES RELAT-**  
18 **ING TO PAYMENT OF OTHER BONUSES AND**  
19 **SPECIAL PAYS.**

20 (a) AVIATION OFFICER RETENTION BONUS.—Sec-  
21 tion 301b(a) of title 37, United States Code, is amended  
22 by striking out “September 30, 1998,” and inserting in  
23 lieu thereof “September 30, 1999,”.

24 (b) REENLISTMENT BONUS FOR ACTIVE MEM-  
25 BERS.—Section 308(g) of title 37, United States Code, is

1 amended by striking out “September 30, 1998” and in-  
2 serting in lieu thereof “September 30, 1999”.

3 (c) ENLISTMENT BONUSES FOR MEMBERS WITH  
4 CRITICAL SKILLS.—Sections 308a(c) and 308f(c) of title  
5 37, United States Code, are each amended by striking out  
6 “September 30, 1998” and inserting in lieu thereof “Sep-  
7 tember 30, 1999”.

8 (d) SPECIAL PAY FOR NUCLEAR QUALIFIED OFFI-  
9 CERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section  
10 312(e) of title 37, United States Code, is amended by  
11 striking out “September 30, 1998” and inserting in lieu  
12 thereof “September 30, 1999”.

13 (e) NUCLEAR CAREER ACCESSION BONUS.—Section  
14 312b(c) of title 37, United States Code, is amended by  
15 striking out “September 30, 1998” and inserting in lieu  
16 thereof “September 30, 1999”.

17 (f) NUCLEAR CAREER ANNUAL INCENTIVE  
18 BONUS.—Section 312c(d) of title 37, United States Code,  
19 is amended by striking out “October 1, 1998” and insert-  
20 ing in lieu thereof “October 1, 1999”.

1 **SEC. 114. INCREASE IN MINIMUM MONTHLY RATE OF HAZ-**  
2 **ARDOUS DUTY INCENTIVE PAY FOR CERTAIN**  
3 **MEMBERS.**

4 (a) AERIAL FLIGHT CREWMEMBERS.—The table in  
5 subsection (b) of section 301 of title 37, United States  
6 Code, is amended—

7 (1) by striking out “110” each place it appears  
8 and inserting in lieu thereof “150”; and

9 (2) by striking out “125” each place it appears  
10 and inserting in lieu thereof “150”.

11 (b) AIR WEAPONS CONTROLLER AIRCREW.—The  
12 table in subsection (c)(2)(A) of such section is amended—

13 (1) by striking out “100” in the first column of  
14 amounts and inserting in lieu thereof “150”;

15 (2) by striking out “110” in the last column of  
16 amounts and inserting in lieu thereof “150”; and

17 (3) by striking out “125” each place it appears  
18 and inserting in lieu thereof “150”.

19 (c) OTHER MEMBERS.—Subsection (c)(1) of such  
20 section is amended—

21 (1) by striking out “\$110” and inserting in lieu  
22 thereof “\$150”; and

23 (2) by striking out “\$165” and inserting in lieu  
24 thereof “\$225”.

1 **SEC. 115. INCREASE IN AVIATION CAREER INCENTIVE PAY.**

2 (a) AMOUNTS.—The table in subsection (b)(1) of sec-  
 3 tion 301a of title 37, United States Code, is amended—

4 (1) by inserting at the end of phase I of the  
 5 table the following:

“Over 14 ..... 840”;

6 and

7 (2) by striking out phase II of the table and in-  
 8 serting in lieu thereof the following:

“PHASE II

“Years of service as an officer:	“Monthly rate
“Over 22 .....	\$585
“Over 23 .....	495
“Over 24 .....	385
“Over 25 .....	250”.

9 (b) CONFORMING AMENDMENTS.—Such subsection is  
 10 further amended in the matter after the table by striking  
 11 out “18 years” both places it appears and inserting in lieu  
 12 thereof “22 years”.

13 (c) EFFECTIVE DATE AND APPLICABILITY.—The  
 14 amendments made by subsection (a) shall take effect on  
 15 January 1, 1999, and shall apply with respect to months  
 16 beginning on or after that date.

17 **SEC. 116. MODIFICATION OF AVIATION OFFICER RETEN-**  
 18 **TION BONUS.**

19 (a) INCREASE IN BONUS AMOUNTS.—Subsection (c)  
 20 of section 301b of title 37, United States Code, is amend-  
 21 ed—

1           (1) in paragraph (1), by striking out “\$12,000”  
2           and inserting in lieu thereof “\$25,000”; and  
3           (2) in paragraph (2), by striking out “\$6,000”  
4           and inserting in lieu thereof “\$12,000”.

5           (b) DURATION OF AGREEMENT.—Paragraph (2) of  
6 such subsection is further amended by striking out “one  
7 or two years” and inserting in lieu thereof “one, two, or  
8 three years”.

9           (c) CONTENT OF ANNUAL REPORT.—Subsection  
10 (i)(1) of such section is amended—

11           (1) by inserting “and” at the end of subpara-  
12 graph (A);

13           (2) by striking out “; and” at the end of sub-  
14 paragraph (B) and inserting in lieu thereof a period;  
15           and

16           (3) by striking out subparagraph (C).

17           (d) DEFINITION OF AVIATION SPECIALTY.—Sub-  
18 section (j)(2) of such section is amended by inserting “spe-  
19 cific” before “community” both places it appears.

20           (e) EFFECTIVE DATES AND APPLICABILITY.—The  
21 amendments made by this section shall take effect as of  
22 October 1, 1996, and shall apply with respect to agree-  
23 ments accepted under section 301b of title 37, United  
24 States Code, on or after that date.

1 **SEC. 117. AVAILABILITY OF MULTIYEAR RETENTION BONUS**  
2 **FOR DENTAL OFFICERS.**

3 (a) AVAILABILITY OF RETENTION BONUS.—Chapter  
4 5 of title 37, United States Code, is amended by inserting  
5 after section 301d the following new section:

6 **“§ 301e. Multiyear retention bonus: dental officers of**  
7 **the armed forces**

8 “(a) BONUS AUTHORIZED.—(1) A dental officer de-  
9 scribed in subsection (b) who executes a written agreement  
10 to remain on active duty for two, three, or four years after  
11 completion of any other active-duty service commitment  
12 may, upon acceptance of the written agreement by the  
13 Secretary of the military department concerned, be paid  
14 a retention bonus as provided in this section.

15 “(2) The amount of a retention bonus under para-  
16 graph (1) may not exceed \$14,000 for each year covered  
17 by a four-year agreement. The maximum yearly retention  
18 bonus for two-year and three-year agreements shall be re-  
19 duced to reflect the shorter service commitment.

20 “(b) OFFICERS AUTOMATICALLY ELIGIBLE.—Sub-  
21 section (a) applies to an officer of the armed forces who—

22 “(1) is an officer of the Dental Corps of the  
23 Army or the Navy or an officer of the Air Force des-  
24 ignated as a dental officer;

25 “(2) has a dental specialty in oral and maxillo-  
26 facial surgery;

1 “(3) is in a pay grade below pay grade 0–7;

2 “(4) has at least eight years of creditable serv-  
3 ice (computed as described in section 302b(g) of this  
4 title) or has completed any active-duty service com-  
5 mitment incurred for dental education and training;  
6 and

7 “(5) has completed initial residency training (or  
8 will complete such training before September 30 of  
9 the fiscal year in which the officer enters into an  
10 agreement under subsection (a)).

11 “(c) EXTENSION OF BONUS TO OTHER DENTAL OF-  
12 FICERS.—At the discretion of the Secretary of the military  
13 department concerned, the Secretary may enter into a  
14 written agreement described in subsection (a)(1) with a  
15 dental officer who does not have the dental specialty speci-  
16 fied in subsection (b)(2), and pay a retention bonus to  
17 such an officer as provided in this section, if the officer  
18 otherwise satisfies the eligibility requirements specified in  
19 subsection (b). The Secretaries shall exercise the authority  
20 provided in this section in a manner consistent with regu-  
21 lations prescribed by the Secretary of Defense.

22 “(d) REFUNDS.—(1) Refunds shall be required, on  
23 a pro rata basis, of sums paid under this section if the  
24 officer who has received the payment fails to complete the

1 total period of active duty specified in the agreement, as  
 2 conditions and circumstances warrant.

3 “(2) An obligation to reimburse the United States  
 4 imposed under paragraph (1) is for all purposes a debt  
 5 owed to the United States.

6 “(3) A discharge in bankruptcy under title 11, United  
 7 States Code, that is entered less than five years after the  
 8 termination of an agreement under this section does not  
 9 discharge the member signing such agreement from a debt  
 10 arising under such agreement or under paragraph (1).  
 11 This paragraph applies to any case commenced under title  
 12 11 after the date of the enactment of the National Defense  
 13 Authorization Act for Fiscal Year 1998.”.

14 (b) CLERICAL AMENDMENT.—The table of sections  
 15 at the beginning of such chapter is amended by inserting  
 16 after the item relating to section 301d the following new  
 17 item:

“301e. Multiyear retention bonus: dental officers of the armed forces.”.

18 **SEC. 118. INCREASE IN VARIABLE AND ADDITIONAL SPE-**  
 19 **CIAL PAYS FOR CERTAIN DENTAL OFFICERS.**

20 (a) VARIABLE SPECIAL PAY FOR JUNIOR OFFI-  
 21 CERS.—Paragraph (2) of section 302b(a) of title 37, Unit-  
 22 ed States Code, is amended by striking out subparagraphs  
 23 (C), (D), (E), and (F) and inserting in lieu thereof the  
 24 following new subparagraphs:



1           “(C) \$7,000 per year, if the officer has at least  
2           six but less than eight years of creditable service.

3           “(D) \$12,000 per year, if the officer has at  
4           least eight but less than 12 years of creditable serv-  
5           ice.

6           “(E) \$10,000 per year, if the officer has at  
7           least 12 but less than 14 years of creditable service.

8           “(F) \$9,000 per year, if the officer has at least  
9           14 but less than 18 years of creditable service.

10           “(G) \$8,000 per year, if the officer has 18 or  
11           more years of creditable service.”.

12           (b) VARIABLE SPECIAL PAY FOR SENIOR OFFI-  
13           CERS.—Paragraph (3) of such section is amended by  
14           striking out “\$1,000” and inserting in lieu thereof  
15           “\$7,000”.

16           (c) ADDITIONAL SPECIAL PAY.—Paragraph (4) of  
17           such section is amended by striking out subparagraphs  
18           (B), (C), and (D) and inserting in lieu thereof the follow-  
19           ing new subparagraphs:

20           “(B) \$6,000 per year, if the officer has at least  
21           three but less than 10 years of creditable service.

22           “(C) \$15,000 per year, if the officer has 10 or  
23           more years of creditable service.”.

1 **SEC. 119. AVAILABILITY OF SPECIAL PAY FOR DUTY AT**  
2 **DESIGNATED HARDSHIP DUTY LOCATIONS.**

3 (a) SPECIAL PAY AUTHORIZED.—Subsection (a) of  
4 section 305 of title 37, United States Code, is amended  
5 to read as follows:

6 “(a) SPECIAL PAY AUTHORIZED.—A member of a  
7 uniformed service who is entitled to basic pay may be paid  
8 special pay under this section at a monthly rate not to  
9 exceed \$300 while the member is on duty at a location  
10 in the United States or outside the United States des-  
11 ignated by the Secretary of Defense as a hardship duty  
12 location.”.

13 (b) CROSS REFERENCES AND REGULATIONS.—Such  
14 section is further amended—

15 (1) in subsection (b)—

16 (A) by inserting “EXCEPTION FOR CER-  
17 TAIN MEMBERS SERVING IN CERTAIN LOCA-  
18 TIONS.—” after “(b)”; and

19 (B) by striking out “as foreign duty pay”  
20 and inserting in lieu thereof “as hardship duty  
21 location pay”;

22 (2) in subsection (c)—

23 (A) by inserting “EXCEPTION FOR MEM-  
24 BERS RECEIVING CAREER SEA PAY.—” after  
25 “(c)”; and

1 (B) by striking out “special pay under this  
2 section” and inserting in lieu thereof “hardship  
3 duty location pay under subsection (a)”; and  
4 (3) by adding at the end the following new sub-  
5 section:

6 “(d) REGULATIONS.—The Secretary of Defense shall  
7 prescribe regulations for the provision of hardship duty  
8 location pay under subsection (a), including the specific  
9 monthly rates at which the special pay will be available.”.

10 (c) CLERICAL AMENDMENTS.—(1) The heading of  
11 such section is amended to read as follows:

12 **“§ 305. Special pay: hardship duty location pay”.**

13 (2) The table of sections at the beginning of chapter  
14 5 of title 37, United States Code, is amended by striking  
15 out the item relating to section 305 and inserting in lieu  
16 thereof the following new item:

“305. Special pay: hardship duty location pay.”.

17 (d) CONFORMING AMENDMENT.—Section 907(d) of  
18 title 37, United States Code, is amended by striking out  
19 “duty at certain places” and inserting in lieu thereof  
20 “duty at a hardship duty location”.

21 (e) TRANSITION.—Until such time as the Secretary  
22 of Defense prescribes regulations regarding the provision  
23 of hardship duty location pay under section 305 of title  
24 37, United States Code, as amended by this section, the  
25 Secretary may continue to use the authority provided by

1 such section 305, as in effect on the day before the date  
2 of the enactment of this Act, to provide special pay to en-  
3 listed members of the uniformed services on duty at cer-  
4 tain places.

5 **SEC. 120. DEFINITION OF SEA DUTY FOR PURPOSES OF CA-**  
6 **REER SEA PAY.**

7 Section 305a(d) of title 37, United States Code, is  
8 amended—

9 (1) in paragraph (1)(A), by striking out “, ship-  
10 based staff, or ship-based aviation unit”;

11 (2) in paragraph (1)(B), by striking out “or  
12 ship-based staff”;

13 (3) by redesignating paragraphs (2) and (3) as  
14 paragraphs (3) and (4), respectively; and

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

17 “(2) The Secretary concerned may designate duty  
18 performed by a member while serving on a ship the pri-  
19 mary mission of which is accomplished either while under  
20 way or in port as ‘sea duty’ for purposes of this section,  
21 even though the duty is performed while the member is  
22 permanently or temporarily assigned to a ship-based staff  
23 or other unit not covered by paragraph (1).”.

1 **SEC. 121. MODIFICATION OF SELECTED RESERVE REEN-**  
2 **LISTMENT BONUS.**

3 (a) **ELIGIBLE MEMBERS.**—Subsection (a)(1) of sec-  
4 tion 308b of title 37, United States Code, is amended by  
5 striking out “ten years” and inserting in lieu thereof “14  
6 years”.

7 (b) **BONUS AMOUNTS; PAYMENT.**—Subsection (b) of  
8 such section is amended to read as follows:

9 “(b) **BONUS AMOUNTS; PAYMENT.**—(1) The amount  
10 of a bonus under this section may not exceed—

11 “(A) \$5,000, in the case of a member who reen-  
12 lists or extends an enlistment for a period of six  
13 years;

14 “(B) \$2,500, in the case of a member who, hav-  
15 ing never received a bonus under this section, reen-  
16 lists or extends an enlistment for a period of three  
17 years; and

18 “(C) \$2,000, in the case of a member who, hav-  
19 ing received a bonus under this section for a pre-  
20 vious three-year reenlistment or extension of an en-  
21 listment, reenlists or extends the enlistment for an  
22 additional period of three years.

23 “(2) Any bonus payable under this section shall be  
24 disbursed in one initial payment of an amount not to ex-  
25 ceed one-half of the total amount of the bonus and subse-  
26 quent periodic partial payments of the balance of the

1 bonus. The Secretary concerned shall prescribe the  
2 amount of each partial payment and the schedule for mak-  
3 ing the partial payments.”.

4 (c) SPECIAL ELIGIBILITY REQUIREMENTS; NUMBER  
5 OF INDIVIDUAL BONUSES.—Subsection (c) of such section  
6 is amended to read as follows:

7 “(c) CONDITION ON ELIGIBILITY; LIMITATION ON  
8 NUMBER OF BONUSES.—(1) To be eligible for a second  
9 bonus under this section in the amount specified in sub-  
10 section (b)(1)(C), a member must—

11 “(A) enter into the subsequent reenlistment or  
12 extension of an enlistment for a period of three  
13 years not later than the date on which the enlist-  
14 ment or extension for which the first bonus was paid  
15 would expire; and

16 “(B) still satisfy the designated skill or unit re-  
17 quirements required under subsection (a)(2).

18 “(2) A member may not be paid more than one six-  
19 year bonus or two three-year bonuses under this section.”.

20 (d) EFFECT OF FAILURE TO SERVE SATISFAC-  
21 TORILY.—Subsection (d) of such section is amended to  
22 read as follows:

23 “(d) REPAYMENT OF BONUS.—A member who re-  
24 ceives a bonus under this section and who fails, during  
25 the period for which the bonus was paid, to serve satisfac-

torily in the element of the Selected Reserve of the Ready Reserve with respect to which the bonus was paid shall refund to the United States an amount that bears the same ratio to the amount of the bonus paid to the member as the period that the member failed to serve satisfactorily bears to the total period for which the bonus was paid.”.

(e) CLERICAL AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting “AUTHORITY AND ELIGIBILITY REQUIREMENTS.—” after “(a)”;

(2) in subsection (e), by inserting “REGULATIONS.—” after “(e)”;

(3) in subsection (f), by inserting “TERMINATION OF AUTHORITY.—” after “(f)”.

**SEC. 122. MODIFICATION OF SELECTED RESERVE ENLISTMENT BONUS FOR FORMER ENLISTED MEMBERS.**

(a) ELIGIBLE PERSONS.—Subsection (a)(2) of section 308i of title 37, United States Code, is amended—

(1) in subparagraph (A), by striking out “10 years” and inserting in lieu thereof “14 years”;

(2) in subparagraph (C), by striking out “and”;

(3) by redesignating subparagraph (D) as subparagraph (E);

1           (4) in subparagraph (E) (as so redesignated),  
2       by inserting “(except under this section)” after  
3       “bonus”; and

4           (5) by inserting after subparagraph (C) the fol-  
5       lowing new subparagraph:

6           “(D) is projected to occupy a position as a  
7       member of the Selected Reserve in a specialty in  
8       which—

9               “(i) the person successfully served while a  
10       member on active duty; and

11               “(ii) the person attained a level of quali-  
12       fication while a member on active duty com-  
13       mensurate with the grade and years of service  
14       of the member; and”.

15       (b) BONUS AMOUNTS; PAYMENT.—Subsection (b) of  
16       such section is amended to read as follows:

17       “(b) BONUS AMOUNTS; PAYMENT.—(1) The amount  
18       of a bonus under this section may not exceed—

19               “(A) \$5,000, in the case of a person who enlists  
20       for a period of six years;

21               “(B) \$2,500, in the case of a person who, hav-  
22       ing never received a bonus under this section, enlists  
23       for a period of three years; and

24               “(C) \$2,000, in the case of a person who, hav-  
25       ing received a bonus under this section for a pre-



1       vious three-year enlistment, reenlists or extends the  
2       enlistment for an additional period of three years.

3       “(2) Any bonus payable under this section shall be  
4       disbursed in one initial payment of an amount not to ex-  
5       ceed one-half of the total amount of the bonus and subse-  
6       quent periodic partial payments of the balance of the  
7       bonus. The Secretary concerned shall prescribe the  
8       amount of each partial payment and the schedule for mak-  
9       ing the partial payments.”.

10       (c) SPECIAL ELIGIBILITY REQUIREMENTS; NUMBER  
11       OF INDIVIDUAL BONUSES.—Subsection (c) of such section  
12       is amended to read as follows:

13       “(c) CONDITION ON ELIGIBILITY; LIMITATION ON  
14       NUMBER OF BONUSES.—(1) To be eligible for a second  
15       bonus under this section in the amount specified in sub-  
16       section (b)(1)(C), a person must—

17               “(A) enter into a reenlistment or extension of  
18       an enlistment for a period of three years not later  
19       than the date on which the enlistment for which the  
20       first bonus was paid would expire; and

21               “(B) still satisfy the eligibility requirements  
22       under subsection (a).

23       “(2) A person may not be paid more than one six-  
24       year bonus or two three-year bonuses under this section.”.

1 (d) REORGANIZATION OF SECTION.—Such section is  
2 further amended—

3 (1) by redesignating subsections (e), (f), and  
4 (g) as paragraphs (2), (3), and (4), respectively, of  
5 subsection (d); and

6 (2) by redesignating subsections (h) and (i) as  
7 subsections (e) and (f), respectively.

8 (e) CONFORMING AND CLERICAL AMENDMENTS.—  
9 Such section is further amended—

10 (1) in subsection (a), by inserting “AUTHORITY  
11 AND ELIGIBILITY REQUIREMENTS.—” after “(a)”;

12 (2) in subsection (d)—

13 (A) by inserting “REPAYMENT OF  
14 BONUS.—(1)” after “(d)”;

15 (B) in paragraphs (2) and (4), as redesign-  
16 nated by subsection (d)(1), by striking out  
17 “subsection (d)” and inserting in lieu thereof  
18 “paragraph (1)”; and

19 (C) in paragraph (3), as redesignated by  
20 subsection (d)(1)—

21 (i) by striking out “subsection (h)”  
22 and inserting in lieu thereof “subsection  
23 (e)”; and

1 (ii) by striking out “subsection (d)”  
 2 and inserting in lieu thereof “paragraph  
 3 (1)”;

4 (3) in subsection (e), as redesignated by sub-  
 5 section (d)(2), by inserting “REGULATIONS.—” after  
 6 “(e)”; and

7 (4) in subsection (f), as redesignated by sub-  
 8 section (d)(2), by inserting “TERMINATION OF AU-  
 9 THORITY.—” after “(f)”.

10 **SEC. 123. EXPANSION OF RESERVE AFFILIATION BONUS TO**  
 11 **INCLUDE COAST GUARD RESERVE.**

12 Section 308e of title 37, United States Code, is  
 13 amended—

14 (1) in subsection (a), by striking out “Under  
 15 regulations prescribed by the Secretary of Defense,  
 16 the Secretary of a military department” and insert-  
 17 ing in lieu thereof “The Secretary concerned”;

18 (2) in subsection (b)(3), by striking out “des-  
 19 ignated by the Secretary of Defense for the purposes  
 20 of this section” and inserting in lieu thereof “des-  
 21 ignated for purposes of this section in the regula-  
 22 tions prescribed under subsection (f)”;

23 (3) in subsection (c)(3), by striking out “regu-  
 24 lations prescribed by the Secretary of Defense” and

1 inserting in lieu thereof “the regulations prescribed  
2 under subsection (f)”; and

3 (4) by adding at the end the following new sub-  
4 sections:

5 “(f) This section shall be administered under regula-  
6 tions prescribed by the Secretary of Defense for the armed  
7 forces under the jurisdiction of the Secretary of Defense  
8 and by the Secretary of Transportation for the Coast  
9 Guard when the Coast Guard is not operating as a service  
10 in the Navy.

11 “(g) The authority in subsection (a) does not apply  
12 to the Secretary of Commerce and the Secretary of Health  
13 and Human Services.”.

14 **SEC. 124. INCREASE IN SPECIAL PAY AND BONUSES FOR**  
15 **NUCLEAR-QUALIFIED OFFICERS.**

16 (a) SPECIAL PAY FOR OFFICERS EXTENDING PE-  
17 RIOD OF ACTIVE SERVICE.—Section 312(a) of title 37,  
18 United States Code, is amended by striking out “\$12,000”  
19 and inserting in lieu thereof “\$15,000”.

20 (b) NUCLEAR CAREER ACCESSION BONUS.—Section  
21 312b(a)(1) of title 37, United States Code, is amended  
22 by striking out “\$8,000” and inserting in lieu thereof  
23 “\$10,000”.

1 (c) NUCLEAR CAREER ANNUAL INCENTIVE BO-  
 2 NUSES.—Section 312c of title 37, United States Code, is  
 3 amended—

4 (1) in subsection (a)(1), by striking out  
 5 “\$10,000” and inserting in lieu thereof “\$12,000”;  
 6 and

7 (2) in subsection (b)(1), by striking out  
 8 “\$4,500” and inserting in lieu thereof “\$5,500”.

9 (d) EFFECTIVE DATE.—(1) The amendments made  
 10 by this section shall take effect as of October 1, 1997.

11 (2) The amendments made by subsections (a) and (b)  
 12 shall apply with respect to agreements accepted under sec-  
 13 tions 312(a) and 312b(a), respectively, of title 37, United  
 14 States Code, on or after October 1, 1997.

15 **SEC. 125. PROVISION OF BONUSES IN LIEU OF SPECIAL PAY**  
 16 **FOR ENLISTED MEMBERS EXTENDING TOURS**  
 17 **OF DUTY AT DESIGNATED LOCATIONS OVER-**  
 18 **SEAS.**

19 (a) INCLUSION OF BONUS INCENTIVE.—(1) Section  
 20 314 of title 37, United States Code, is amended to read  
 21 as follows:

1   **“§ 314. Special pay or bonus: qualified enlisted mem-**  
2                   **bers extending duty at designated loca-**  
3                   **tions overseas**

4           “(a) COVERED MEMBERS.—This section applies with  
5 respect to an enlisted member of an armed force who—

6                   “(1) is entitled to basic pay;

7                   “(2) has a specialty that is designated by the  
8 Secretary concerned for the purposes of this section;

9                   “(3) has completed a tour of duty (as defined  
10 in accordance with regulations prescribed by the  
11 Secretary concerned) at a location outside the 48  
12 contiguous States and the District of Columbia that  
13 is designated by the Secretary concerned for the  
14 purposes of this section; and

15                   “(4) at the end of that tour of duty executes an  
16 agreement to extend that tour for a period of not  
17 less than one year.

18           “(b) SPECIAL PAY OR BONUS AUTHORIZED.—Upon  
19 the acceptance by the Secretary concerned of the agree-  
20 ment providing for an extension of the tour of duty of an  
21 enlisted member described in subsection (a), the member  
22 is entitled, at the election of the Secretary concerned, to  
23 either—

24                   “(1) special pay in monthly installments in an  
25 amount prescribed by the Secretary, but not to ex-  
26 ceed \$80 per month; or

1           “(2) an annual bonus in an amount prescribed  
2       by the Secretary, but not to exceed \$2,000 per year.

3       “(c) SELECTION AND PAYMENT OF SPECIAL PAY OR  
4 BONUS.—Not later than the date on which the Secretary  
5 concerned accepts an agreement described in subsection  
6 (a)(4) providing for the extension of a member’s tour of  
7 duty, the Secretary concerned shall notify the member re-  
8 garding whether the member will receive special pay or  
9 a bonus under this section. The payment rate for the spe-  
10 cial pay or bonus shall be fixed at the time of the agree-  
11 ment and may not be changed during the period of the  
12 extended tour of duty. The Secretary concerned may pay  
13 a bonus under this section either in a lump sum or install-  
14 ments.

15       “(d) REPAYMENT OF BONUS.—(1) A member who,  
16 having entered into a written agreement to extend a tour  
17 of duty for a period under subsection (a), receives a bonus  
18 payment under subsection (b)(2) for a 12-month period  
19 covered by the agreement and ceases during that 12-  
20 month period to perform the agreed tour of duty shall re-  
21 fund to the United States the unearned portion of the  
22 bonus. The unearned portion of the bonus is the amount  
23 by which the amount of the bonus paid to the member  
24 exceeds the amount determined by multiplying the amount  
25 of the bonus paid by the percent determined by dividing

1 12 into the number of full months during which the mem-  
2 ber performed the duty in the 12-month period.

3 “(2) The Secretary concerned may waive the obliga-  
4 tion of a member to reimburse the United States under  
5 paragraph (1) if the Secretary determines that conditions  
6 and circumstances warrant the waiver.

7 “(3) An obligation to repay the United States im-  
8 posed under paragraph (1) is for all purposes a debt owed  
9 to the United States.

10 “(4) A discharge in bankruptcy under title 11 that  
11 is entered less than five years after the termination of the  
12 agreement does not discharge the member signing the  
13 agreement from a debt arising under the agreement or  
14 under paragraph (1). This paragraph applies to any case  
15 commenced under title 11 on or after the date of the en-  
16 actment of the National Defense Authorization Act for  
17 Fiscal Year 1998.

18 “(e) EFFECT OF REST AND RECUPERATIVE AB-  
19 SENCE.—A member who elects to receive one of the bene-  
20 fits specified in section 705(b) of title 10 as part of the  
21 extension of a tour of duty is not entitled to the special  
22 pay authorized by subsection (b)(1) for the period of the  
23 extension of duty for which the benefit under such section  
24 is provided.”.



1       (2) The item relating to section 314 in the table of  
 2 sections at the beginning of chapter 5 of such title is  
 3 amended to read as follows:

“314. Special pay or bonus: qualified enlisted members extending duty at designated locations overseas.”.

4       (b) APPLICATION OF AMENDMENT.—Section 314 of  
 5 title 37, United States Code, as amended by subsection  
 6 (a), shall apply with respect to an agreement to extend  
 7 a tour of duty as provided in such section executed on  
 8 or after October 1, 1997.

9       **SEC. 126. INCREASE IN AMOUNT OF FAMILY SEPARATION**  
 10                                   **ALLOWANCE.**

11       Section 427 of title 37, United States Code (as  
 12 amended by section 103), is further amended in subsection  
 13 (a)(1) by striking out “\$75” and inserting in lieu thereof  
 14 “\$100”.

15       **SEC. 127. DEADLINE FOR PAYMENT OF READY RESERVE**  
 16                                   **MUSTER DUTY ALLOWANCE.**

17       Section 433(c) of title 37, United States Code, is  
 18 amended—

19               (1) in the first sentence, by striking out “and  
 20 shall be” and all that follows through “is per-  
 21 formed”; and

22               (2) by inserting after the first sentence the fol-  
 23 lowing new sentence: “The allowance may be paid to  
 24 the member before, on, or after the date on which

1 the muster duty is performed, but not later than 30  
 2 days after that date.”.

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

### 5 **SEC. 131. TRAVEL AND TRANSPORTATION ALLOWANCES** 6 **FOR DEPENDENTS BEFORE APPROVAL OF** 7 **MEMBER’S COURT-MARTIAL SENTENCE.**

8 Section 406(h)(2)(C) of title 37, United States Code,  
 9 is amended by striking out the comma at the end of clause  
 10 (iii) and all that follows through “title 10.” and inserting  
 11 in lieu thereof a period.

### 12 **SEC. 132. DISLOCATION ALLOWANCE.**

13 (a) IN GENERAL.—Section 407 of title 37, United  
 14 States Code, is amended to read as follows:

#### 15 **“§ 407. Travel and transportation allowances: disloca-** 16 **tion allowance**

17 “(a) ELIGIBILITY FOR PRIMARY DISLOCATION AL-  
 18 LOWANCE.—(1) Under regulations prescribed by the Sec-  
 19 retary concerned, a member of a uniformed service de-  
 20 scribed in paragraph (2) is entitled to a primary disloca-  
 21 tion allowance at the rate determined under subsection (c)  
 22 for the member’s pay grade and dependency status.

23 “(2) A member of the uniformed services referred to  
 24 in paragraph (1) is any of the following:

1           “(A) A member who makes a change of perma-  
2           nent station and the member’s dependents actually  
3           make an authorized move in connection with the  
4           change, including a move by the dependents—

5                   “(i) to join the member at the member’s  
6                   duty station after an unaccompanied tour of  
7                   duty when the member’s next tour of duty is an  
8                   accompanied tour at the same station; and

9                   “(ii) to a location designated by the mem-  
10                  ber after an accompanied tour of duty when the  
11                  member’s next tour of duty is an unaccom-  
12                  panied tour at the same duty station.

13           “(B) A member whose dependents actually  
14           move pursuant to section 405a(a), 406(e), 406(h),  
15           or 554 of this title.

16           “(C) A member whose dependents actually  
17           move from their place of residence under cir-  
18           cumstances described in section 406a of this title.

19           “(D) A member who is without dependents  
20           and—

21                   “(i) actually moves to a new permanent  
22                   station where the member is not assigned to  
23                   quarters of the United States; or

1                   “(ii) actually moves from a place of resi-  
2                   dence under circumstances described in section  
3                   406a of this title.

4                   “(E) A member who is ordered to move in con-  
5                   nection with the closure or realignment of a military  
6                   installation and, as a result, the member’s depend-  
7                   ents actually move or, in the case of a member with-  
8                   out dependents, the member actually moves.

9                   “(3) If a primary dislocation allowance is paid under  
10                  this subsection to a member described in subparagraph  
11                  (C) or (D)(ii) of paragraph (2), the member is not entitled  
12                  to another dislocation allowance as a member described  
13                  in subparagraph (A) or (E) of such paragraph in connec-  
14                  tion with the same move.

15                  “(b) SECONDARY ALLOWANCE AUTHORIZED UNDER  
16                  CERTAIN CIRCUMSTANCES.—(1) Under regulations pre-  
17                  scribed by the Secretary concerned, whenever a member  
18                  is entitled to a primary dislocation allowance under sub-  
19                  section (a) as a member described in paragraph (2)(C)  
20                  or (2)(D)(ii) of such subsection, the member is also enti-  
21                  tled to a secondary dislocation allowance at the rate deter-  
22                  mined under subsection (c) for the member’s pay grade  
23                  and dependency status if, subsequent to the member or  
24                  the member’s dependents actually moving from their place  
25                  of residence under circumstances described in section

1 406a of this title, the member or member's dependents  
2 complete that move to a new location and then actually  
3 move from that new location to another location also  
4 under circumstances described in section 406a of this title.

5 “(2) If a secondary dislocation allowance is paid  
6 under this subsection, the member is not entitled to a dis-  
7 location allowance as a member described in paragraph  
8 (2)(A) or (2)(E) of subsection (a) in connection with those  
9 moves.

10 “(c) DISLOCATION ALLOWANCE RATES.—(1) The  
11 amount of the dislocation allowance to be paid under this  
12 section to a member shall be based on the member's pay  
13 grade and dependency status at the time the member be-  
14 comes entitled to the allowance.

15 “(2) The initial rate for the dislocation allowance, for  
16 each pay grade and dependency status, shall be equal to  
17 the rate in effect for that pay grade and dependency status  
18 on December 31, 1997, as adjusted by the average per-  
19 centage increase in the rates of basic pay for calendar year  
20 1998. Effective on the same date that the monthly rates  
21 of basic pay for members are increased for a subsequent  
22 calendar year, the Secretary of Defense shall adjust the  
23 rates for the dislocation allowance for that calendar year  
24 by the percentage equal to the average percentage increase  
25 in the rates of basic pay for that calendar year.

1       “(d) FISCAL YEAR LIMITATION; EXCEPTIONS.—(1)

2       A member is not entitled to more than one dislocation al-  
3       lowance under this section during a fiscal year unless—

4               “(A) the Secretary concerned finds that the ex-  
5       igencies of the service require the member to make  
6       more than one change of permanent station during  
7       the fiscal year;

8               “(B) the member is ordered to a service school  
9       as a change of permanent station;

10              “(C) the member’s dependents are covered by  
11       section 405a(a), 406(e), 406(h), or 554 of this title;  
12       or

13              “(D) subparagraph (C) or (D)(ii) of subsection  
14       (a)(2) or subsection (b) apply with respect to the  
15       member or the member’s dependents.

16       “(2) This subsection does not apply in time of na-  
17       tional emergency or in time of war.

18       “(e) FIRST OR LAST DUTY.—A member is not enti-  
19       tled to payment of a dislocation allowance under this sec-  
20       tion when the member is ordered from the member’s home  
21       to the member’s first duty station or from the member’s  
22       last duty station to the member’s home.

23       “(f) RULE OF CONSTRUCTION.—For purposes of this  
24       section, a member whose dependents may not make an au-

1 thorized move in connection with a change of permanent  
 2 station is considered a member without dependents.

3 “(g) ADVANCE PAYMENT.—A dislocation allowance  
 4 payable under this section may be paid in advance.”.

5 (b) EFFECTIVE DATE.—The amendment made by  
 6 subsection (a) shall take effect on January 1, 1998.

## 7 **Subtitle D—Retired Pay, Survivor** 8 **Benefits, and Related Matters**

### 9 **SEC. 141. ONE-YEAR OPPORTUNITY TO DISCONTINUE PAR-** 10 **TICIPATION IN SURVIVOR BENEFIT PLAN.**

11 (a) ELECTION TO DISCONTINUE WITHIN ONE YEAR  
 12 AFTER SECOND ANNIVERSARY OF COMMENCEMENT OF  
 13 PAYMENT OF RETIRED PAY.—(1) Subchapter II of chap-  
 14 ter 73 of title 10, United States Code, is amended by in-  
 15 serting after section 1448 the following new section:

16 **“§ 1448a. Election to discontinue participation: one-**  
 17 **year opportunity after second anniver-**  
 18 **sary of commencement of payment of re-**  
 19 **tired pay**

20 “(a) AUTHORITY.—A participant in the Plan may,  
 21 subject to the provisions of this section, elect to dis-  
 22 continue participation in the Plan at any time during the  
 23 one-year period beginning on the second anniversary of the  
 24 date on which payment of retired pay to the participant  
 25 commences.

1 “(b) CONCURRENCE OF SPOUSE.—

2 “(1) CONCURRENCE REQUIRED.—A married  
3 participant may not (except as provided in para-  
4 graph (2)) make an election under subsection (a)  
5 without the concurrence of the participant’s spouse.

6 “(2) EXCEPTIONS.—A participant may make  
7 such an election without the concurrence of the par-  
8 ticipant’s spouse by establishing to the satisfaction  
9 of the Secretary concerned that one of the conditions  
10 specified in section 1448(a)(3)(C) of this title exists.

11 “(3) FORM OF CONCURRENCE.—The concur-  
12 rence of a spouse under paragraph (1) shall be made  
13 in such written form and shall contain such informa-  
14 tion as may be required under regulations prescribed  
15 by the Secretary of Defense.

16 “(c) LIMITATION ON ELECTION WHEN FORMER  
17 SPOUSE COVERAGE IN EFFECT.—The limitation set forth  
18 in section 1450(f)(2) of this title applies to an election  
19 to discontinue participation in the Plan under subsection  
20 (a).

21 “(d) WITHDRAWAL OF ELECTION TO DIS-  
22 CONTINUE.—Section 1448(b)(1)(D) of this title applies to  
23 an election under subsection (a).



1       “(e) CONSEQUENCES OF DISCONTINUATION.—Sec-  
 2       tion 1448(b)(1)(E) of this title applies to an election under  
 3       subsection (a).

4       “(f) NOTICE TO AFFECTED BENEFICIARIES.—The  
 5       Secretary concerned shall notify any former spouse or  
 6       other natural person previously designated under section  
 7       1448(b) of this title of an election to discontinue participa-  
 8       tion under subsection (a).

9       “(g) EFFECTIVE DATE OF ELECTION.—An election  
 10       under subsection (a) is effective as of the first day of the  
 11       first calendar month following the month in which the  
 12       election is received by the Secretary concerned.

13       “(h) INAPPLICABILITY OF IRREVOCABILITY PROVI-  
 14       SIONS.—Paragraphs (4)(B) and (5)(C) of section 1448(a)  
 15       of this title do not apply to prevent an election under sub-  
 16       section (a).”.

17       (2) The table of sections at the beginning of such sub-  
 18       chapter is amended by inserting after the item relating  
 19       to section 1448 the following new item:

“1448a. Election to discontinue participation: one-year opportunity after second  
 anniversary of commencement of payment of retired pay.”.

20       (b) TRANSITION PROVISION FOR CURRENT PARTICI-  
 21       PANTS.—Notwithstanding the limitation on the time for  
 22       making an election under section 1448a of title 10, United  
 23       States Code (as added by subsection (a)), that is specified  
 24       in subsection (a) of such section, a participant in the Sur-

1 survivor Benefit Plan under subchapter II of chapter 73 of  
 2 such title may make an election in accordance with that  
 3 section within one year after the effective date of that sec-  
 4 tion under subsection (c) if the second anniversary of the  
 5 commencement of payment of retired pay to the partici-  
 6 pant precedes that effective date.

7 (c) EFFECTIVE DATE.—Section 1448a of title 10,  
 8 United States Code, as added by subsection (a), shall take  
 9 effect 180 days after the date of the enactment of this  
 10 Act.

11 **SEC. 142. TIME IN WHICH CHANGE IN SURVIVOR BENEFIT**  
 12 **COVERAGE FROM FORMER SPOUSE TO**  
 13 **SPOUSE MAY BE MADE.**

14 (a) EXTENSION OF TIME FOR CHANGE.—Section  
 15 1450(f)(1)(C) of title 10, United States Code, is amended  
 16 by adding at the end the following new sentence: “Not-  
 17 withstanding the preceding sentence, a change of election  
 18 under this subsection to provide an annuity to a spouse  
 19 instead of a former spouse may (subject to paragraph (2))  
 20 be made at any time after the person providing the annu-  
 21 ity remarries without regard to the time limitation in sec-  
 22 tion 1448(a)(5)(B) of this title.”.

23 (b) APPLICABILITY.—The amendment made by sub-  
 24 section (a) shall apply with respect to marriages occurring  
 25 before, on, or after the date of the enactment of this Act.

1 **SEC. 143. REVIEW OF FEDERAL FORMER SPOUSE PROTEC-**  
2 **TION LAWS.**

3 (a) REVIEW REQUIRED.—The Secretary of Defense  
4 shall carry out a comprehensive review (including a com-  
5 parison) of—

6 (1) the protections, benefits, and treatment af-  
7 farded under Federal law to members and former  
8 members of the uniformed services and former  
9 spouses of such persons; and

10 (2) the protections, benefits, and treatment af-  
11 farded under Federal law to employees and former  
12 employees of the Government and former spouses of  
13 such persons.

14 (b) MILITARY PERSONNEL MATTERS TO BE RE-  
15 VIEWED.—In the case of members and former members  
16 of the uniformed services and former spouses of such per-  
17 sons, the review under subsection (a) shall include the fol-  
18 lowing:

19 (1) All provisions of law (principally those origi-  
20 nally enacted in the Uniformed Services Former  
21 Spouses' Protection Act (title X of Public Law 97–  
22 252)) that—

23 (A) establish, provide for the enforcement  
24 of, or otherwise protect interests of members  
25 and former members of the uniformed services  
26 and former spouses of such persons in retired

1           or retainer pay of members and former mem-  
2           bers; or

3           (B) provide other benefits for members  
4           and former members of the uniformed services  
5           and former spouses of such persons.

6           (2) The experience of the uniformed services in  
7           administering those provisions of law, including the  
8           adequacy and effectiveness of the legal assistance  
9           provided by the Department of Defense in matters  
10          related to the Uniformed Services Former Spouses'  
11          Protection Act.

12          (3) The experience of members and former  
13          members of the uniformed services and former  
14          spouses of such persons in the administration of  
15          those provisions of law.

16          (4) The experience of members and former  
17          members of the uniformed services and former  
18          spouses of such persons in the application of those  
19          provisions of law by State courts.

20          (5) The history of State statutes and State  
21          court interpretations of the Uniformed Services  
22          Former Spouses' Protection Act and other provi-  
23          sions of Federal law described in paragraph (1)(A)  
24          and the extent to which those interpretations follow  
25          those laws.

1       (c) CIVILIAN PERSONNEL MATTERS TO BE RE-  
2 VIEWED.—In the case of former spouses of employees and  
3 former employees of the Government, the review under  
4 subsection (a) shall include the following:

5           (1) All provisions of law that—

6               (A) establish, provide for the enforcement  
7               of, or otherwise protect interests of employees  
8               and former employees of the Government and  
9               former spouses of such persons in annuities of  
10              employees and former employees under Federal  
11              employees' retirement systems; or

12             (B) provide other benefits for employees  
13             and former employees of the Government and  
14             former spouses of such persons.

15           (2) The experience of the Office of Personnel  
16           Management and other agencies of the Government  
17           in administering those provisions of law.

18           (3) The experience of employees and former  
19           employees of the Government and former spouses of  
20           such persons in the administration of those provi-  
21           sions of law.

22           (4) The experience of employees and former  
23           employees of the Government and former spouses of  
24           such persons in the application of those provisions of  
25           law by State courts.

1 (d) SAMPLING AUTHORIZED.—The Secretary may  
2 use sampling in carrying out the review under this section.

3 (e) REPORT.—Not later than September 30, 1999,  
4 the Secretary shall submit to the Committee on Armed  
5 Services of the Senate and the Committee on National Se-  
6 curity of the House of Representatives a report on the re-  
7 sults of the review under subsection (a). The report shall  
8 include any recommendations for legislation that the Sec-  
9 retary considers appropriate.

10 **SEC. 144. ANNUITIES FOR CERTAIN MILITARY SURVIVING**  
11 **SPOUSES.**

12 (a) SURVIVOR ANNUITY.—(1) The Secretary con-  
13 cerned shall pay an annuity to the qualified surviving  
14 spouse of each member of the uniformed services who—

15 (A) died before March 21, 1974, and was enti-  
16 tled to retired or retainer pay on the date of death;  
17 or

18 (B) was a member of a reserve component of  
19 the Armed Forces during the period beginning on  
20 September 21, 1972, and ending on October 1,  
21 1978, and at the time of his death would have been  
22 entitled to retired pay under chapter 67 of title 10,  
23 United States Code (as in effect before December  
24 1, 1994), but for the fact that he was under 60  
25 years of age.

1       (2) A qualified surviving spouse for purposes of this  
2 section is a surviving spouse who has not remarried and  
3 who is not eligible for an annuity under section 4 of Public  
4 Law 92–425 (10 U.S.C. 1448 note).

5       (b) AMOUNT OF ANNUITY.—(1) An annuity under  
6 this section shall be paid at the rate of \$165 per month,  
7 as adjusted from time to time under paragraph (3).

8       (2) An annuity paid to a surviving spouse under this  
9 section shall be reduced by the amount of any dependency  
10 and indemnity compensation (DIC) to which the surviving  
11 spouse is entitled under section 1311(a) of title 38, United  
12 States Code.

13       (3) Whenever after the date of the enactment of this  
14 Act retired or retainer pay is increased under section  
15 1401a(b)(2) of title 10, United States Code, each annuity  
16 that is payable under this section shall be increased at  
17 the same time and by the same total percent. The amount  
18 of the increase shall be based on the amount of the month-  
19 ly annuity payable before any reduction under this section.

20       (c) APPLICATION REQUIRED.—No benefit shall be  
21 paid to any person under this section unless an application  
22 for such benefit is filed with the Secretary concerned by  
23 or on behalf of such person.

24       (d) DEFINITIONS.—For purposes of this section:

1           (1) The terms “uniformed services” and “Sec-  
2       retary concerned” have the meanings given such  
3       terms in section 101 of title 37, United States Code.

4           (2) The term “surviving spouse” has the mean-  
5       ing given the terms “widow” and “widower” in para-  
6       graphs (3) and (4) of section 1447 of title 10, Unit-  
7       ed States Code.

8       (e) PROSPECTIVE APPLICABILITY.—(1) Annuities  
9       under this section shall be paid for months beginning after  
10      the month in which this Act is enacted.

11      (2) No benefit shall accrue to any person by reason  
12      of the enactment of this section for any period before the  
13      first month that begins after the month in which this Act  
14      is enacted.

15      (f) EXPIRATION OF AUTHORITY.—The authority to  
16      pay annuities under this section shall expire on September  
17      30, 2001.

18      **SEC. 145. ADMINISTRATION OF BENEFITS FOR SO-CALLED**  
19                                      **MINIMUM INCOME WIDOWS.**

20      (a) PAYMENTS TO BE MADE BY SECRETARY OF VET-  
21      ERANS AFFAIRS.—Section 653(d) of the National Defense  
22      Authorization Act, Fiscal Year 1989 (10 U.S.C. 1448  
23      note) is amended—

24           (1) by inserting “(1)” before “An annuity” the  
25      first place it appears; and



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

3       “(2) Payment of annuities under this section shall be  
4       made by the Secretary of Veterans Affairs. In making  
5       such payments, the Secretary shall combine the payment  
6       under this section with the payment of any amount due  
7       the same person under section 4 of Public Law 92–425  
8       (10 U.S.C. 1448 note), as provided in subsection (e)(1)  
9       of that section. The Secretary concerned shall transfer  
10      amounts for payments under this section to the Secretary  
11      of Veterans Affairs in the same manner as is provided  
12      under subsection (e)(2) of section 4 of Public Law 92–  
13      425 for payments under that section.”.

14      (b) COMBINATION WITH OTHER BENEFITS.—Sec-  
15      tion 4(e)(1) of Public Law 92–425 (10 U.S.C. 1448 note)  
16      is amended—

17           (1) by inserting after the first sentence the fol-  
18      lowing new sentence: “In making such payments, the  
19      Secretary shall combine with the payment under this  
20      section payment of any amount due the same person  
21      under section 653(d) of the National Defense Au-  
22      thorization Act, Fiscal Year 1989 (10 U.S.C. 1448  
23      note).”; and

1           (2) by inserting “(and, if applicable, under sec-  
 2           tion 653(d) of the National Defense Authorization  
 3           Act, Fiscal Year 1989)” after “under this section”.

4           (c) EFFECTIVE DATE.—The amendments made by  
 5 this section take effect on the first day of the first month  
 6 beginning after the date of the enactment of this Act and  
 7 shall apply with respect to payments of benefits for  
 8 months beginning on or after that date, except that the  
 9 Secretary of Veterans Affairs may provide, if necessary  
 10 for administrative implementation, that such amendments  
 11 shall apply beginning with a later month, not later than  
 12 the first month beginning more than 180 days after the  
 13 date of the enactment of this Act.

## 14           **Subtitle E—Other Matters**

### 15   **SEC. 151. LOAN REPAYMENT PROGRAM FOR COMMIS-** 16                           **SIONED OFFICERS IN CERTAIN HEALTH PRO-** 17                           **FESSIONS.**

18           (a) Chapter 109 of title 10, United States Code, is  
 19 amended by adding at the end the following new section:

#### 20   **“§ 2173. Education loan repayment program: commis-** 21                           **sioned officers in specified health profes-** 22                           **sions**

23           “(a) AUTHORITY TO REPAY EDUCATION LOANS.—  
 24 For the purpose of maintaining adequate numbers of com-  
 25 missioned officers of the armed forces on active duty who

1 are qualified in the various health professions, the Sec-  
2 retary of a military department may repay, in the case  
3 of a person described in subsection (b), a loan that—

4 “(1) was used by the person to finance edu-  
5 cation regarding a health profession; and

6 “(2) was obtained from a governmental entity,  
7 private financial institution, school, or other author-  
8 ized entity.

9 “(b) ELIGIBLE PERSONS.—To be eligible to obtain  
10 a loan repayment under this section, a person must—

11 “(1) satisfy one of the requirements specified in  
12 subsection (c);

13 “(2) be fully qualified for, or hold, an appoint-  
14 ment as a commissioned officer in one of the health  
15 professions; and

16 “(3) sign a written agreement to serve on active  
17 duty, or, if on active duty, to remain on active duty  
18 for a period in addition to any other incurred active  
19 duty obligation.

20 “(c) ACADEMIC AND PROFESSIONAL REQUIRE-  
21 MENTS.—One of the following academic requirements  
22 must be satisfied for purposes of determining the eligi-  
23 bility of a person for a loan repayment under this section:

24 “(1) The person is fully qualified in a health  
25 care profession that the Secretary of the military de-

1       partment concerned has determined to be necessary  
2       to meet identified skill shortages.

3               “(2) The person is enrolled as a full-time stu-  
4       dent in the final year of a course of study at an ac-  
5       credited educational institution leading to a degree  
6       in a health profession other than medicine or osteo-  
7       pathic medicine.

8               “(3) The person is enrolled in the final year of  
9       an approved graduate program leading to specialty  
10      qualification in medicine, dentistry, osteopathic med-  
11      icine, or other health profession.

12      “(d) CERTAIN PERSONS INELIGIBLE.—Participants  
13   of the Armed Forces Health Professions Scholarship and  
14   Financial Assistance program under subchapter I of chap-  
15   ter 105 of this title and students of the Uniformed Serv-  
16   ices University of the Health Sciences established under  
17   section 2112 of this title are not eligible for the repayment  
18   of an education loan under this section.

19      “(e) LOAN REPAYMENTS.—(1) Subject to the limits  
20   established by paragraph (2), a loan repayment under this  
21   section may consist of payment of the principal, interest,  
22   and related expenses of a loan obtained by a person de-  
23   scribed in subsection (b) for—

24               “(A) all educational expenses, comparable to all  
25      educational expenses recognized under section

1       2127(a) of this title for participants in the Armed  
2       Forces Health Professions Scholarship and Finan-  
3       cial Assistance program; and

4           “(B) reasonable living expenses, not to exceed  
5       expenses comparable to the stipend paid under sec-  
6       tion 2121(d) of this title for participants in the  
7       Armed Forces Health Professions Scholarship and  
8       Financial Assistance program.

9       “(2) For each year of obligated service that a person  
10      agrees to serve in an agreement described in subsection  
11      (b)(3), the Secretary of the military department concerned  
12      may pay not more than \$22,000 on behalf of the person.  
13      This maximum amount shall be increased annually by the  
14      Secretary of Defense effective October 1 of each year by  
15      the percentage equal to the percent increase in the average  
16      annual cost of educational expenses and stipend costs of  
17      a single scholarship under the Armed Forces Health Pro-  
18      fessions Scholarship and Financial Assistance program.  
19      The total amount that may be repaid on behalf of any  
20      person may not exceed an amount determined on the basis  
21      of a four-year active duty service obligation.

22       “(f) ACTIVE DUTY SERVICE OBLIGATION.—(1) A  
23      person entering into an agreement described in subsection  
24      (b)(3) incurs an active duty service obligation. The length  
25      of this obligation shall be determined under regulations

1 prescribed by the Secretary of Defense, but those regula-  
2 tions may not provide for a period of obligation of less  
3 than one year for each maximum annual amount, or por-  
4 tion thereof, paid on behalf of the person for qualified  
5 loans.

6 “(2) For persons on active duty before entering into  
7 the agreement, the active duty service obligation shall be  
8 served consecutively to any other obligation incurred  
9 under the agreement.

10 “(g) EFFECT OF FAILURE TO COMPLETE OBLIGA-  
11 TION.—A commissioned officer who is relieved of the offi-  
12 cer’s active duty obligation under this section before the  
13 completion of that obligation may be given, with or with-  
14 out the consent of the officer, any alternative obligation  
15 comparable to any of the alternative obligations authorized  
16 by section 2123(e) of this title for participants in the  
17 Armed Forces Health Professions Scholarship and Finan-  
18 cial Assistance program.

19 “(h) REGULATIONS.—The Secretary of Defense shall  
20 prescribe regulations to carry out this section, including  
21 standards for qualified loans and authorized payees and  
22 other terms and conditions for the making of loan repay-  
23 ments.”.

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

“2173. Education loan repayment program: commissioned officers in specified  
 health professions.”.

4 **SEC. 152. CONFORMANCE OF NOAA COMMISSIONED OFFI-**  
 5 **CERS SEPARATION PAY TO SEPARATION PAY**  
 6 **FOR MEMBERS OF OTHER UNIFORMED SERV-**  
 7 **ICES.**

8 (a) ELIMINATION OF LIMITATIONS ON AMOUNT OF  
 9 SEPARATION PAY.—Section 9 of the Coast and Geodetic  
 10 Survey Commissioned Officers’ Act of 1948 (33 U.S.C.  
 11 853h) is amended—

12 (1) in subsection (b)(1), by striking out “, or  
 13 \$30,000, whichever is less”;

14 (2) in subsection (b)(2), by striking out “, but  
 15 in no event more than \$15,000”; and

16 (3) in subsection (d), by striking out “(1)”, and  
 17 by striking out paragraph (2).

18 (b) WAIVER OF RECOUPMENT OF AMOUNTS WITH-  
 19 HELD FOR TAX PURPOSES FROM CERTAIN SEPARATION  
 20 PAY.—Section 9(e)(2) of the Coast and Geodetic Survey  
 21 Commissioned Officers’ Act of 1948 (33 U.S.C.  
 22 853h(e)(2)) is amended in the first sentence by inserting  
 23 before the period at the end the following: “, less the  
 24 amount of Federal income tax withheld from such pay

1 (such withholding being at the flat withholding rate for  
 2 Federal income tax withholding, as in effect pursuant to  
 3 regulations prescribed under chapter 24 of the Internal  
 4 Revenue Code of 1986)”).

5 (c) EFFECTIVE DATE AND APPLICATION.—The  
 6 amendments made by this section shall take effect as of  
 7 October 1, 1997, and shall apply to payments of separa-  
 8 tion pay that are made after September 30, 1997.

9 **SEC. 153. ELIGIBILITY OF PUBLIC HEALTH SERVICE OFFI-**  
 10 **CERS AND NOAA COMMISSIONED CORPS OF-**  
 11 **FICERS FOR REIMBURSEMENT OF ADOPTION**  
 12 **EXPENSES.**

13 (a) PUBLIC HEALTH SERVICE.—Section 221(a) of  
 14 the Public Health Service Act (42 U.S.C. 213a(a)) is  
 15 amended by adding at the end the following new para-  
 16 graph:

17 “(16) Section 1052, Reimbursement for adop-  
 18 tion expenses.”.

19 (b) NATIONAL OCEANIC AND ATMOSPHERIC ADMIN-  
 20 ISTRATION.—Section 3(a) of the Act of August 10, 1956  
 21 (33 U.S.C. 857a(a)), is amended by adding at the end the  
 22 following new paragraph:

23 “(16) Section 1052, Reimbursement for adop-  
 24 tion expenses.”.



1 (c) PROSPECTIVE APPLICABILITY.—The amendments  
 2 made by this section shall apply only to adoptions that  
 3 are completed on or after the date of the enactment of  
 4 this Act.

5 **SEC. 154. PAYMENT OF BACK QUARTERS AND SUBSISTENCE**  
 6 **ALLOWANCES TO WORLD WAR II VETERANS**  
 7 **WHO SERVED AS GUERRILLA FIGHTERS IN**  
 8 **THE PHILIPPINES.**

9 (a) IN GENERAL.—The Secretary of the military de-  
 10 partment concerned shall pay, upon request, to an individ-  
 11 ual described in subsection (b) the amount determined  
 12 with respect to that individual under subsection (c).

13 (b) COVERED INDIVIDUALS.—A payment under sub-  
 14 section (a) shall be made to any individual who as a mem-  
 15 ber of the Armed Forces during World War II—

16 (1) was captured within the territory of the  
 17 Philippines by Japanese forces;

18 (2) escaped from captivity; and

19 (3) served as a guerrilla fighter in the Phil-  
 20ippines during the period from January 1942  
 21 through February 1945.

22 (c) AMOUNT TO BE PAID.—The amount of a pay-  
 23 ment under subsection (a) shall be the amount of quarters  
 24 and subsistence allowance which accrued to an individual  
 25 described in subsection (b) during the period specified in

1 paragraph (3) of subsection (b) and which was not paid  
2 to that individual. For the purposes of this subsection, the  
3 Secretary of War shall be deemed to have determined that  
4 conditions in the Philippines during the specified period  
5 justified payment under applicable regulations of quarters  
6 and subsistence allowances at the maximum special rate  
7 for duty where emergency conditions existed. The Sec-  
8 retary shall apply interest compounded at the three-month  
9 Treasury bill rate.

10 (d) PAYMENT TO SURVIVORS.—In the case of any in-  
11 dividual described in subsection (b) who is deceased, pay-  
12 ment under this section with respect to that individual  
13 shall be made to that individual's nearest surviving rel-  
14 ative, as determined by the Secretary concerned.

15 **SEC. 155. SUBSISTENCE OF MEMBERS OF THE ARMED**  
16 **FORCES ABOVE THE POVERTY LEVEL.**

17 (a) STUDY AND REPORT.—(1) The Secretary of De-  
18 fense shall conduct a study of members of the Armed  
19 Forces and their families who subsist at, near, or below  
20 the poverty level. The study shall include the following:

21 (A) An analysis of potential solutions for ensur-  
22 ing that members of the Armed Forces and their  
23 families do not have to subsist at, near, or below the  
24 poverty level, including potential solutions involving  
25 changes in the system of allowances for members.

1           (B) Identification of the military populations  
2           most likely to need income support under Federal  
3           Government programs, including—

4                 (i) the populations living in areas of the  
5           United States where housing costs are notably  
6           high;

7                 (ii) the populations living outside the Unit-  
8           ed States; and

9                 (iii) the number of persons in each identi-  
10          fied population.

11          (C) The desirability of increasing rates of basic  
12          pay and allowances for members over a defined pe-  
13          riod of years by a range of percentages that provides  
14          for higher percentage increases for lower ranking  
15          members than for higher ranking members.

16          (2) Not later than 180 days after the date of the en-  
17          actment of this Act, the Secretary of Defense shall submit  
18          to Congress a report containing the results of the study  
19          and such recommendations as the Secretary considers to  
20          be appropriate.

21          (b) IMPLEMENTATION OF DEPARTMENT OF DE-  
22          FENSE SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR  
23          PERSONNEL OUTSIDE THE UNITED STATES.—(1) Sub-  
24          section (b) of section 1060a of title 10, United States  
25          Code, is amended to read as follows:

1       “(b) FEDERAL PAYMENTS AND COMMODITIES.—For  
2 the purpose of obtaining Federal payments and commod-  
3 ities in order to carry out the program referred to in sub-  
4 section (a), the Secretary of Agriculture shall make avail-  
5 able to the Secretary of Defense the same payments and  
6 commodities as are made for the special supplemental food  
7 program in the United States under section 17 of the  
8 Child Nutrition Act of 1966 (42 U.S.C. 1786). The Sec-  
9 retary of Defense may use funds available for the Depart-  
10 ment of Defense to carry out the program under sub-  
11 section (a).”.

12       (2) Not later than 90 days after the date of the enact-  
13 ment of this Act, the Secretary of Defense shall submit  
14 to Congress a report regarding the intentions of the Sec-  
15 retary regarding implementation of the program author-  
16 ized under section 1060a of title 10, United States Code,  
17 including any plans to implement the program.

1                   **TITLE II—HEALTH CARE**  
2                   **PROVISIONS**  
3           **Subtitle A—Health Care Services**

4   **SEC. 201. EXPANSION OF RETIREE DENTAL INSURANCE**  
5                   **PLAN TO INCLUDE SURVIVING SPOUSE AND**  
6                   **CHILD DEPENDENTS OF CERTAIN DECEASED**  
7                   **MEMBERS.**

8           Section 1076c(b)(4) of title 10, United States Code,  
9   is amended—

10                   (1) in subparagraph (A)—

11                           (A) by striking out “dies” and inserting in  
12                   lieu thereof “died”; and

13                           (B) by striking out “or” at the end of the  
14                   subparagraph;

15                   (2) by striking out the period at the end of sub-  
16                   paragraph (B) and inserting in lieu thereof “; or”;  
17                   and

18                   (3) by adding at the end the following new sub-  
19                   paragraph:

20                           “(C) who died while on active duty for a  
21                   period of more than 30 days and whose eligible  
22                   dependents are not eligible, or no longer eligi-  
23                   ble, for dental benefits under section 1076a of  
24                   this title pursuant to subsection (i)(2) of such  
25                   section.”.

1 **SEC. 202. PROVISION OF PROSTHETIC DEVICES TO COV-**  
2 **ERED BENEFICIARIES.**

3 (a) INCLUSION AMONG AUTHORIZED CARE.—Sub-  
4 section (a) of section 1077 of title 10, United States Code,  
5 is amended by adding at the end the following new para-  
6 graph:

7 “(15) Prosthetic devices, as determined by the  
8 Secretary of Defense to be necessary because of sig-  
9 nificant conditions resulting from trauma, congenital  
10 anomalies, or disease.”.

11 (b) CONFORMING AMENDMENT.—Subsection (b) of  
12 such section is amended by striking out paragraph (2) and  
13 inserting in lieu thereof the following new paragraph:

14 “(2) Hearing aids, orthopedic footwear, and  
15 spectacles, except that, outside of the United States  
16 and at stations inside the United States where ade-  
17 quate civilian facilities are unavailable, such items  
18 may be sold to dependents at cost to the United  
19 States.”.

20 **SEC. 203. STUDY CONCERNING THE PROVISION OF COM-**  
21 **PARATIVE INFORMATION.**

22 (a) STUDY.—The Secretary of Defense shall conduct  
23 a study concerning the provision of the information de-  
24 scribed in subsection (b) to beneficiaries under the  
25 TRICARE program established under the authority of

1 chapter 55 of title 10, United States Code, and prepare  
2 and submit to Congress a report concerning such study.

3 (b) PROVISION OF COMPARATIVE INFORMATION.—  
4 Information described in this subsection, with respect to  
5 a managed care entity that contracts with the Secretary  
6 of Defense to provide medical assistance under the pro-  
7 gram described in subsection (a), shall include the follow-  
8 ing:

9 (1) The benefits covered by the entity involved,  
10 including—

11 (A) covered items and services beyond  
12 those provided under a traditional fee-for-serv-  
13 ice program;

14 (B) any beneficiary cost sharing; and

15 (C) any maximum limitations on out-of-  
16 pocket expenses.

17 (2) The net monthly premium, if any, under the  
18 entity.

19 (3) The service area of the entity.

20 (4) To the extent available, quality and per-  
21 formance indicators for the benefits under the entity  
22 (and how they compare to such indicators under the  
23 traditional fee-for-service programs in the area in-  
24 volved), including—

1 (A) disenrollment rates for enrollees elect-  
2 ing to receive benefits through the entity for the  
3 previous two years (excluding disenrollment due  
4 to death or moving outside the service area of  
5 the entity);

6 (B) information on enrollee satisfaction;

7 (C) information on health process and out-  
8 comes;

9 (D) grievance procedures;

10 (E) the extent to which an enrollee may se-  
11 lect the health care provider of their choice, in-  
12 cluding health care providers within the net-  
13 work of the entity and out-of-network health  
14 care providers (if the entity covers out-of-net-  
15 work items and services); and

16 (F) an indication of enrollee exposure to  
17 balance billing and the restrictions on coverage  
18 of items and services provided to such enrollee  
19 by an out-of-network health care provider.

20 (5) Whether the entity offers optional supple-  
21 mental benefits and the terms and conditions (in-  
22 cluding premiums) for such coverage.

23 (6) An overall summary description as to the  
24 method of compensation of participating physicians.



## 1           **Subtitle B—Tricare Program**

### 2   **SEC. 211. ADDITION OF DEFINITION OF TRICARE PROGRAM**

#### 3                   **TO TITLE 10.**

4           Section 1072 of title 10, United States Code, is  
5 amended by adding at the end the following new para-  
6 graph:

7                   “(7) The term ‘TRICARE program’ means the  
8 managed health care program that is established by  
9 the Department of Defense under the authority of  
10 this chapter, principally section 1097 of this title,  
11 and includes the competitive selection of contractors  
12 to financially underwrite the delivery of health care  
13 services under the Civilian Health and Medical Pro-  
14 gram of the Uniformed Services.”.

### 15   **SEC. 212. PLAN FOR EXPANSION OF MANAGED CARE OP-** 16                   **TION OF TRICARE PROGRAM.**

17           (a) PLAN FOR EXPANSION OF TRICARE PRIME.—  
18 The Secretary of Defense shall prepare a plan for the ex-  
19 pansion of the managed care option of the TRICARE Pro-  
20 gram, known as TRICARE Prime, into areas of the Unit-  
21 ed States located outside of the catchment areas of medi-  
22 cal treatment facilities of the uniformed services, but in  
23 which the managed care option is a cost-effective alter-  
24 native because of—

1           (1) the significant number of members of the  
2           uniformed services and covered beneficiaries under  
3           chapter 55 of title 10, United States Code (including  
4           retired members of the Armed Forces and their de-  
5           pendents), who reside in the areas; and

6           (2) the presence in the areas of sufficient non-  
7           military health care provider networks.

8           (b) ALTERNATIVES.—As an alternative to expansion  
9           of TRICARE Prime to areas of the United States in which  
10          there are few or no nonmilitary health care provider net-  
11          works, the Secretary shall include in the plan required  
12          under subsection an evaluation of the feasibility and cost-  
13          effectiveness of providing a member of the Armed Forces  
14          on active duty who is stationed in such an area, or whose  
15          dependents reside in such an area, with one or both of  
16          the following:

17               (1) A monetary stipend to assist the member in  
18               obtaining health care services for the member or the  
19               member's dependents.

20               (2) A reduction in the cost-sharing require-  
21               ments applicable to the TRICARE program options  
22               otherwise available to the member to match the re-  
23               duced cost-sharing responsibilities of the managed  
24               care option of the TRICARE program.

1 (c) SUBMISSION OF PLAN.—Not later than March 1,  
2 1998, the Secretary shall submit to Congress the plan re-  
3 quired under subsection (a).

4 **Subtitle C—Uniformed Services**  
5 **Treatment Facilities**

6 **SEC. 221. IMPLEMENTATION OF DESIGNATED PROVIDER**  
7 **AGREEMENTS FOR UNIFORMED SERVICES**  
8 **TREATMENT FACILITIES.**

9 (a) COMMENCEMENT OF HEALTH CARE SERVICES  
10 UNDER AGREEMENT.—Subsection (c) of section 722 of  
11 the National Defense Authorization Act for Fiscal Year  
12 1997 (Public Law 104–201, 10 U.S.C. 1073 note) is  
13 amended—

14 (1) by redesignating paragraphs (1) and (2) as  
15 subparagraphs (A) and (B);

16 (2) by inserting “(1)” before “Unless”; and

17 (3) by adding at the end the following new  
18 paragraph:

19 “(2) The Secretary may modify the effective date es-  
20 tablished under paragraph (1) for an agreement to permit  
21 a transition period of not more than six months between  
22 the date on which the agreement is executed by the parties  
23 and the date on which the designated provider commences  
24 the delivery of health care services under the agreement.”.

1 (b) TEMPORARY CONTINUATION OF EXISTING PAR-  
2 TICIPATION AGREEMENTS.—Subsection (d) of such sec-  
3 tion is amended by inserting before the period at the end  
4 the following: “, including any transitional period provided  
5 by the Secretary under paragraph (2) of such subsection”.

6 **SEC. 222. CONTINUED ACQUISITION OF REDUCED-COST**  
7 **DRUGS.**

8 Section 722 of the National Defense Authorization  
9 Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C.  
10 1073 note) is amended by adding at the end the following  
11 new subsection:

12 “(g) CONTINUED ACQUISITION OF REDUCED-COST  
13 DRUGS.—A designated provider shall be treated as part  
14 of the Department of Defense for purposes of section 8126  
15 of title 38, United States Code, in connection with the pro-  
16 vision by the designated provider of health care services  
17 to covered beneficiaries pursuant to the participation  
18 agreement of the designated provider under section 718(c)  
19 of the National Defense Authorization Act for Fiscal Year  
20 1991 (Public Law 101–510; 42 U.S.C. 248c note) or pur-  
21 suant to the agreement entered into under subsection  
22 (b).”.

23 **SEC. 223. LIMITATION ON TOTAL PAYMENTS.**

24 Section 726(b) of the National Defense Authorization  
25 Act for Fiscal Year 1997 (Public Law 104–201; 10 U.S.C.

1 1073 note) is amended by adding at the end the following  
 2 new sentence: “In establishing the ceiling rate for enroll-  
 3 ees with the designated providers who are also eligible for  
 4 the Civilian Health and Medical Program of the Uni-  
 5 formed Services, the Secretary of Defense shall take into  
 6 account the health status of the enrollees.”.

7 **Subtitle D—Other Changes to Ex-**  
 8 **isting Laws Regarding Health**  
 9 **Care Management**

10 **SEC. 231. IMPROVEMENTS IN HEALTH CARE COVERAGE**  
 11 **AND ACCESS FOR MEMBERS ASSIGNED TO**  
 12 **CERTAIN DUTY LOCATIONS FAR FROM**  
 13 **SOURCES OF CARE.**

14 (a) SUPPLEMENTAL CARE PROGRAM.—(1) Section  
 15 1074(c) of title 10, United States Code, is amended—

16 (A) by inserting “(1)” after “(c)”; and

17 (B) by adding at the end the following new  
 18 paragraphs:

19 “(2)(A) Subject to such exceptions as the Secretary  
 20 of Defense considers necessary, coverage for medical care  
 21 for members of the armed forces under this subsection,  
 22 and standards with respect to timely access to such care,  
 23 shall be comparable to coverage for medical care and  
 24 standards for timely access to such care under the man-

1 aged care option of the TRICARE program known as  
2 TRICARE Prime.

3 “(B) The Secretary of Defense shall enter into ar-  
4 rangements with contractors under the TRICARE pro-  
5 gram or with other appropriate contractors for the timely  
6 and efficient processing of claims under this subsection.

7 “(3)(A) The Secretary of Defense may not require  
8 a member of the armed forces described in subparagraph  
9 (B) to receive routine primary medical care at a military  
10 medical treatment facility.

11 “(B) A member referred to in subparagraph (A) is  
12 a member of the armed forces on active duty who is enti-  
13 tled to medical care under this subsection and who—

14 “(i) receives a duty assignment described in  
15 subparagraph (C); and

16 “(ii) pursuant to the assignment of such duty,  
17 resides at a location that is more than 50 miles, or  
18 approximately one hour of driving time, from the  
19 nearest military medical treatment facility adequate  
20 to provide the needed care.

21 “(C) A duty assignment referred to in subparagraph  
22 (B) means any of the following:

23 “(i) Permanent duty as a recruiter.

24 “(ii) Permanent duty at an educational institu-  
25 tion to instruct, administer a program of instruction,

1 or provide administrative services in support of a  
2 program of instruction for the Reserve Officers'  
3 Training Corps.

4 “(iii) Permanent duty as a full-time adviser to  
5 a unit of a reserve component.

6 “(iv) Any other permanent duty designated by  
7 the Secretary concerned for purposes of this para-  
8 graph.”.

9 (2) The amendments made by paragraph (1) shall  
10 apply with respect to coverage of medical care for, and  
11 the provision of such care to, a member of the Armed  
12 Forces under section 1074(c) of title 10, United States  
13 Code, on and after the later of the following:

14 (A) April 1, 1998.

15 (B) The date on which the TRICARE program  
16 is in place in the service area of the member.

17 (b) TEMPORARY AUTHORITY FOR MANAGED CARE  
18 EXPANSION TO MEMBERS ON ACTIVE DUTY AT CERTAIN  
19 REMOTE LOCATIONS.—(1) A member of the Armed  
20 Forces described in subsection (c) is entitled to receive  
21 care under the Civilian Health and Medical Program of  
22 the Uniformed Services. In connection with such care, the  
23 Secretary of Defense shall waive the obligation of the  
24 member to pay a deductible, copayment, or annual fee that

1 would otherwise be applicable under that program for care  
2 provided to the members under the program.

3 (2) A member who is entitled under paragraph (1)  
4 to receive health care services under CHAMPUS shall re-  
5 ceive such care from a network provider under the  
6 TRICARE program if such a provider is available in the  
7 service area of the member.

8 (3) Paragraph (1) shall take effect on the date of the  
9 enactment of this Act and shall expire with respect to a  
10 member upon the later of the following:

11 (A) The date that is one year after the date of  
12 the enactment of this Act.

13 (B) The date on which the amendments made  
14 by subsection (a) apply with respect to the coverage  
15 of medical care for, and provision of such care to,  
16 the member.

17 (c) ELIGIBLE MEMBERS.—A member referred to in  
18 subsection (b) is a member of the Armed Forces on active  
19 duty who—

20 (1) receives a duty assignment described in sub-  
21 section (d); and

22 (2) pursuant to the assignment of such duty,  
23 resides at a location that is more than 50 miles, or  
24 approximately one hour of driving time, from—



1 (A) the nearest health care facility of the  
2 uniformed services adequate to provide the  
3 needed care under chapter 55 of title 10, Unit-  
4 ed States Code; and

5 (B) the nearest source of the needed care  
6 that is available to the member under the  
7 TRICARE Prime plan.

8 (d) DUTY ASSIGNMENTS COVERED.—A duty assign-  
9 ment referred to in subsection (c)(1) means any of the  
10 following:

11 (1) Permanent duty as a recruiter.

12 (2) Permanent duty at an educational institu-  
13 tion to instruct, administer a program of instruction,  
14 or provide administrative services in support of a  
15 program of instruction for the Reserve Officers'  
16 Training Corps.

17 (3) Permanent duty as a full-time adviser to a  
18 unit of a reserve component of the Armed Forces.

19 (4) Any other permanent duty designated by  
20 the Secretary concerned for purposes of this sub-  
21 section.

22 (e) PAYMENT OF COSTS.—Deductibles, copayments,  
23 and annual fees not payable by a member by reason of  
24 a waiver granted under the regulations prescribed pursu-  
25 ant to subsection (b) shall be paid out of funds available

1 to the Department of Defense for the Defense Health Pro-  
2 gram.

3 (f) DEFINITIONS.—In this section:

4 (1) The term “TRICARE program” has the  
5 meaning given that term in section 1072(7) of title  
6 10, United States Code.

7 (2) The term “TRICARE Prime plan” means  
8 a plan under the TRICARE program that provides  
9 for the voluntary enrollment of persons for the re-  
10 ceipt of health care services to be furnished in a  
11 manner similar to the manner in which health care  
12 services are furnished by health maintenance organi-  
13 zations.

14 **SEC. 232. WAIVER OR REDUCTION OF COPAYMENTS UNDER**  
15 **OVERSEAS DENTAL PROGRAM.**

16 Section 1076a(h) of title 10, United States Code, is  
17 amended—

18 (1) in the first sentence, by striking out “Sec-  
19 retary” and inserting in lieu thereof “Secretary of  
20 Defense”; and

21 (2) by adding at the end the following new sen-  
22 tence: “In the case of such an overseas dental plan,  
23 the Secretary may waive or reduce the copayments  
24 otherwise required by subsection (e) to the extent

1 the Secretary determines appropriate for the effective and efficient operation of the plan.”.

3 **SEC. 233. PREMIUM COLLECTION REQUIREMENTS FOR**  
4 **MEDICAL AND DENTAL INSURANCE PRO-**  
5 **GRAMS; EXTENSION OF DEADLINE FOR IM-**  
6 **PLEMENTATION OF DENTAL INSURANCE**  
7 **PROGRAM FOR MILITARY RETIREES.**

8 (a) PREMIUM COLLECTION FOR SELECTED RESERVE  
9 DENTAL INSURANCE.—Paragraph (3) of section 1076b(b)  
10 of title 10, United States Code, is amended to read as  
11 follows:

12 “(3) The Secretary of Defense shall establish proce-  
13 dures for the collection of the member’s share of the pre-  
14 mium for coverage by the dental insurance plan. To the  
15 maximum extent practicable, a member’s share shall be  
16 deducted and withheld from the basic pay payable to the  
17 member for inactive duty training or basic pay payable  
18 to the member for active duty (if pay is available to the  
19 member). Such share shall be used to pay the premium  
20 for coverage by the dental insurance plan.”.

21 (b) PREMIUM COLLECTION FOR RETIREE DENTAL  
22 INSURANCE PLAN.—Paragraph (2) of section 1076c(c) of  
23 such title is amended to read as follows:

24 “(2) The Secretary of Defense shall establish proce-  
25 dures for the collection of the premiums charged for cov-

1 erage by the dental insurance plan. To the maximum ex-  
2 tent practicable, the premiums payable by a member enti-  
3 tled to retired pay shall be deducted and withheld from  
4 the retired pay of the member (if pay is available to the  
5 member).”.

6 (c) REPORT TO CONGRESS.—Not later than March  
7 1, 1998, the Secretary of Defense shall submit to Congress  
8 a report on the premium collection procedures established  
9 pursuant to paragraph (3) of section 1076b(b) of title 10,  
10 United States Code, and paragraph (2) of section  
11 1076c(c) of such title. The report shall describe the extent  
12 to which premium collections are made under such para-  
13 graphs through deductions and withholding from pay.

14 (d) LIMITATION ON IMPLEMENTATION OF ALTER-  
15 NATIVE COLLECTION PROCEDURES.—The Secretary of  
16 Defense may not implement procedures for collecting pre-  
17 miums under section 1076b(b)(3) of title 10, United  
18 States Code, or section 1076c(c)(2) of such title other  
19 than by deductions and withholding from pay until 120  
20 days after the date that the Secretary submits a report  
21 to Congress describing the justifications for implementing  
22 such alternative procedures.

23 (e) EXTENSION OF DEADLINE FOR IMPLEMENTA-  
24 TION OF DENTAL INSURANCE PLAN FOR MILITARY RE-  
25 TIREES.—Section 703(b) of the National Defense Author-

1 ization Act for Fiscal Year 1997 (Public Law 104–201;  
 2 110 Stat. 2590) is amended by striking “October 1, 1997”  
 3 and inserting “April 1, 1998”.

4 **SEC. 234. DENTAL INSURANCE PLAN COVERAGE FOR RE-**  
 5 **TIREES OF THE PUBLIC HEALTH SERVICE**  
 6 **AND NOAA.**

7 (a) ELIGIBILITY.—(1) Subsection (a) of section  
 8 1076c of title 10, United States Code, is amended by  
 9 striking out “military retirees” and inserting in lieu there-  
 10 of “retirees of the uniformed services”.

11 (2) Subsection (b)(1) of such section is amended by  
 12 striking out “Armed Forces” and inserting in lieu thereof  
 13 “uniformed services”.

14 (b) OFFICIALS RESPONSIBLE.—(1) Subsection (a) of  
 15 such section (as amended by subsection (a)) is further  
 16 amended by inserting “, in consultation with the other ad-  
 17 ministering Secretaries,” after “Secretary of Defense”.

18 (2) Subsection (h) of such section is amended by  
 19 striking out “Secretary of Transportation” and inserting  
 20 in lieu thereof “other administering Secretaries”.

21 **SEC. 235. CONSISTENCY BETWEEN CHAMPUS AND MEDI-**  
 22 **CARE IN PAYMENT RATES FOR SERVICES.**

23 (a) CONFORMITY BETWEEN RATES.—Section  
 24 1079(h) of title 10, United States Code, is amended by

1 striking out paragraphs (1), (2), and (3) and inserting in  
2 lieu thereof the following new paragraph:

3       “(1) Except as provided in paragraphs (2) and (3),  
4 payment for a charge for services by an individual health  
5 care professional (or other noninstitutional health care  
6 provider) for which a claim is submitted under a plan con-  
7 tracted for under subsection (a) shall be equal to an  
8 amount determined to be appropriate, to the extent prac-  
9 ticable, in accordance with the same reimbursement rules  
10 as apply to payments for similar services under title XVIII  
11 of the Social Security Act (42 U.S.C. 1395 et seq.). The  
12 Secretary of Defense shall determine the appropriate pay-  
13 ment amount under this paragraph in consultation with  
14 the other administering Secretaries.”.

15       (b) REDUCED RATES AUTHORIZED.—Paragraph (5)  
16 of such section is amended by adding at the end the follow-  
17 ing new sentence: “With the consent of the health care  
18 provider, the Secretary is also authorized to reduce the  
19 authorized payment for certain health care services below  
20 the amount otherwise required by the payment limitations  
21 under paragraph (1).”.

22       (c) CONFORMING AMENDMENTS.—Such section is  
23 further amended—

1           (1) in paragraph (5), by striking out “para-  
2       graph (4), the Secretary” and inserting in lieu there-  
3       of “paragraph (2), the Secretary of Defense”; and  
4           (2) by redesignating paragraphs (4), (5), and  
5       (6) as paragraphs (2), (3), and (4), respectively.

6 **SEC. 236. USE OF PERSONAL SERVICES CONTRACTS FOR**  
7                           **PROVISION OF HEALTH CARE SERVICES AND**  
8                           **LEGAL PROTECTION FOR PROVIDERS.**

9       (a) USE OF CONTRACTS OUTSIDE MEDICAL TREAT-  
10   MENT FACILITIES.—Section 1091(a) of title 10, United  
11   States Code, is amended—

12           (1) by inserting “(1)” before “The Secretary of  
13       Defense”; and

14           (2) by adding at the end the following new  
15       paragraph:

16       “(2) The Secretary of Defense, and the Secretary of  
17   Transportation with respect to the Coast Guard when it  
18   is not operating as a service in the Navy, may also enter  
19   into personal services contracts to carry out other health  
20   care responsibilities of the Secretary (such as the provision  
21   of medical screening examinations at Military Entrance  
22   Processing Stations) at locations outside medical treat-  
23   ment facilities, as determined necessary pursuant to regu-  
24   lations prescribed by the Secretary. The Secretary may  
25   not enter into a contract under this paragraph after the

1 end of the one-year period beginning on the date of the  
2 enactment of this paragraph.”.

3 (b) DEFENSE OF SUITS.—Section 1089 of such title  
4 is amended—

5 (1) in subsection (a), by adding at the end the  
6 following new sentence: “This subsection shall also  
7 apply if the physician, dentist, nurse, pharmacist, or  
8 paramedical or other supporting personnel (or the  
9 estate of such person) involved is serving under a  
10 personal services contract entered into under section  
11 1091 of this title.”; and

12 (2) in subsection (f)—

13 (A) by inserting “(1)” after “(f)”; and

14 (B) by adding at the end the following new  
15 paragraph:

16 “(2) With respect to the Secretary of Defense and  
17 the Armed Forces Retirement Home Board, the authority  
18 provided by paragraph (1) also includes the authority to  
19 provide for reasonable attorney’s fees for persons de-  
20 scribed in subsection (a), as determined necessary pursu-  
21 ant to regulations prescribed by the head of the agency  
22 concerned.”.

23 (c) REPORT.—Not later than March 31, 1998, the  
24 Secretary of Defense shall submit to Congress a report  
25 on the feasible alternative means for performing the medi-



1 cal screening examinations that are routinely performed  
2 at Military Entrance Processing Stations. The report shall  
3 contain a discussion of the feasibility and cost of the use  
4 of—

5 (1) the TRICARE system for the performance  
6 of the examinations; and

7 (2) each other alternative identified in the re-  
8 port.

9 **SEC. 237. PORTABILITY OF STATE LICENSES FOR DEPART-**  
10 **MENT OF DEFENSE HEALTH CARE PROFES-**  
11 **SIONALS.**

12 Section 1094 of title 10, United States Code, is  
13 amended—

14 (1) by redesignating subsection (d) as sub-  
15 section (e); and

16 (2) by inserting after subsection (c) the follow-  
17 ing new subsection:

18 “(d)(1) Notwithstanding any law regarding the licen-  
19 sure of health care providers, a health-care professional  
20 described in paragraph (2) may practice the health profes-  
21 sion or professions of the health-care professional in any  
22 State, the District of Columbia, or a Commonwealth, terri-  
23 tory, or possession of the United States, regardless of  
24 whether the practice occurs in a health care facility of the  
25 Department of Defense, a civilian facility affiliated with

1 the Department of Defense, or any other location author-  
2 ized by the Secretary of Defense.

3 “(2) A health-care professional referred to in para-  
4 graph (1) is a member of the armed forces who—

5 “(A) has a current license to practice medicine,  
6 osteopathic medicine, dentistry, or another health  
7 profession; and

8 “(B) is performing authorized duties for the  
9 Department of Defense.”.

10 **SEC. 238. STANDARD FORM AND REQUIREMENTS REGARD-**  
11 **ING CLAIMS FOR PAYMENT FOR SERVICES.**

12 (a) CLARIFICATION OF EXISTING REQUIREMENTS.—  
13 Section 1106 of title 10, United States Code, is amended  
14 to read as follows:

15 **“§ 1106. Submittal of claims: standard form; time lim-**  
16 **its**

17 “(a) STANDARD FORM.—The Secretary of Defense,  
18 after consultation with the other administering Secretar-  
19 ies, shall prescribe by regulation a standard form for the  
20 submission of claims for the payment of health care serv-  
21 ices provided under this chapter.

22 “(b) TIME FOR SUBMISSION.—A claim for payment  
23 for services provided under this chapter shall be submitted  
24 as provided in such regulations not later than one year  
25 after the services are provided.”.

1 (b) CLERICAL AMENDMENT.—The table of sections  
 2 at the beginning of chapter 55 of title 10, United States  
 3 Code, is amended by striking out the item relating to sec-  
 4 tion 1106 and inserting in lieu thereof the following new  
 5 item:

“1106. Submittal of claims: standard form; time limits.”.

6 **SEC. 239. CHIROPRACTIC HEALTH CARE DEMONSTRATION**  
 7 **PROGRAM.**

8 (a) TWO-YEAR EXTENSION.—Subsection (b) of sec-  
 9 tion 731 of the National Defense Authorization Act for  
 10 Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 1092  
 11 note) is amended by striking out “1997” and inserting  
 12 in lieu thereof “1999”.

13 (b) EXPANSION TO AT LEAST THREE ADDITIONAL  
 14 TREATMENT FACILITIES.—Subsection (a)(2)(A) of such  
 15 section is amended by striking out “not less than 10” and  
 16 inserting in lieu thereof “the National Naval Medical Cen-  
 17 ter, the Walter Reed Army Medical Center, and not less  
 18 than 11 other”.

19 (c) REPORTS.—Subsection (c) of such section is  
 20 amended—

21 (1) by striking paragraph (3); and

22 (2) by adding at the end the following new  
 23 paragraphs:

24 “(3) Not later than January 30, 1998, the Secretary  
 25 of Defense shall submit to the Committee on Armed Serv-

ices of the Senate and the Committee on National Security of the House of Representatives a report that identifies the additional treatment facilities designated to furnish chiropractic care under the program that were not so designated before the report required by paragraph (1) was prepared, together with the plan for the conduct of the program at the additional treatment facilities.

“(4) Not later than May 1, 1998, the Secretary of Defense shall modify the plan for evaluating the program submitted pursuant to paragraph (2) in order to provide for the evaluation of the program at all of the designated treatment facilities under the program, including the treatment facilities referred to in paragraph (3).

“(5) Not later than May 1, 2000, the Secretary shall submit to the committees referred to in paragraph (3) a final report in accordance with the plan submitted pursuant to paragraph (2).”.

## **Subtitle E—Other Matters**

### **SEC. 241. CONTINUED ADMISSION OF CIVILIANS AS STUDENTS IN PHYSICIAN ASSISTANT TRAINING PROGRAM OF ARMY MEDICAL DEPARTMENT.**

(a) CIVILIAN ATTENDANCE.—(1) Chapter 407 of title 10, United States Code, is amended by adding at the end the following new section:

1   **“§ 4416. Academy of Health Sciences: admission of ci-**  
2                   **vilians in physician assistant training**  
3                   **program**

4           “(a) IN GENERAL.—The Secretary of the Army may,  
5 pursuant to an agreement entered into with an accredited  
6 institution of higher education—

7                   “(1) permit students of the institution to attend  
8 the didactic portion of the physician assistant train-  
9 ing program conducted by the Army Medical De-  
10 partment at the Academy of Health Sciences at Fort  
11 Sam Houston, Texas; and

12                   “(2) accept from the institution academic serv-  
13 ices to support the physician assistant training pro-  
14 gram at the Academy.

15           “(b) AGREEMENT FOR EXCHANGE OF SERVICES.—  
16 An agreement entered into with an institution of higher  
17 education under this section shall require the institution,  
18 in exchange for services provided under paragraph (1) of  
19 subsection (a), to provide academic services described in  
20 paragraph (2) of such subsection that the Secretary and  
21 authorized representatives of the institution consider ap-  
22 propriate.

23           “(c) SELECTION OF STUDENTS.—In consultation  
24 with the authorized representatives of the institution of  
25 higher education concerned, the Secretary shall prescribe  
26 the qualifications and methods of selection for students

1 of the institution to receive instruction at the Academy  
2 under this section. The qualifications shall be comparable  
3 to those generally required for admission to the physician  
4 assistant training program at the Academy.

5 “(d) RULES OF ATTENDANCE.—Except as the Sec-  
6 retary determines necessary, a student who receives in-  
7 struction at the Academy under this section shall be sub-  
8 ject to the same regulations governing attendance, dis-  
9 cipline, discharge, and dismissal as apply to other persons  
10 attending the Academy.

11 “(e) LIMITATIONS.—The Secretary shall ensure the  
12 following:

13 “(1) That the Army Medical Department, in  
14 carrying out an agreement under this section, does  
15 not incur costs in excess of the costs that the de-  
16 partment would incur to obtain, by means other  
17 than the agreement, academic services that are com-  
18 parable to those provided by the institution pursuant  
19 to the agreement.

20 “(2) That attendance of civilian students at the  
21 Academy under this section does not cause a de-  
22 crease in the number of members of the armed  
23 forces enrolled in the physician assistant training  
24 program at the Academy.

1       “(f) ANNUAL REPORT.—(1) Each year, the Secretary  
 2 shall submit to Congress a report on the exchange of serv-  
 3 ices under this section during the year. The report shall  
 4 contain the following:

5               “(A) The number of civilian students who re-  
 6 ceive instruction at the Academy under this section.

7               “(B) An assessment of the benefits derived by  
 8 the United States.

9       “(2) Reports are required under paragraph (1) only  
 10 for years during which an agreement is in effect under  
 11 this section.”.

12       (2) The table of sections at the beginning of such  
 13 chapter is amended by adding at the end the following  
 14 new item:

“4416. Academy of Health Sciences: admission of civilians in physician assistant  
 training program.”.

15       (b) EFFECT ON EXISTING DEMONSTRATION PRO-  
 16 GRAM.—An agreement entered into under the demonstra-  
 17 tion program for the admission of civilians as physician  
 18 assistant students at the Academy of Health Sciences,  
 19 Fort Sam Houston, Texas, established pursuant to section  
 20 732 of the National Defense Authorization Act for Fiscal  
 21 Year 1995 (Public Law 103–337; 108 Stat. 2810) shall  
 22 be treated as an agreement entered into under section  
 23 4416 of title 10, United States Code (as added by sub-  
 24 section (a)). The agreement may be extended in such man-

1 ner and for such period as the parties to the agreement  
2 consider appropriate consistent with section 4416.

3 **SEC. 242. PAYMENT FOR EMERGENCY HEALTH CARE OVER-**  
4 **SEAS FOR MILITARY AND CIVILIAN PERSON-**  
5 **NEL OF THE ON-SITE INSPECTION AGENCY.**

6 (a) PAYMENT OF COSTS.—The Secretary of Defense  
7 may pay the costs of any emergency health care that—

8 (1) is needed by a member of the Armed  
9 Forces, civilian employee of the Department of De-  
10 fense, or civilian employee of a contractor operating  
11 under a contract with the Department of Defense  
12 while the member or employee is performing tem-  
13 porary or permanent duty with the On-Site Inspec-  
14 tion Agency outside the United States; and

15 (2) is furnished to such person during fiscal  
16 year 1998 by a source outside the United States.

17 (b) FUNDING.—Funds authorized to be appropriated  
18 for the expenses of the On-Site Inspection Agency for fis-  
19 cal year 1998 by this Act shall be available to cover pay-  
20 ments for emergency health care provided under sub-  
21 section (a).



1 **SEC. 243. AUTHORITY FOR AGREEMENT FOR USE OF MEDI-**  
2 **CAL RESOURCE FACILITY, ALAMOGORDO,**  
3 **NEW MEXICO.**

4 (a) **AUTHORITY.**—(1) The Secretary of the Air Force  
5 may enter into an agreement with Gerald Champion Hos-  
6 pital, Alamogordo, New Mexico, under which the Secretary  
7 may furnish health care services to eligible individuals in  
8 a medical resource facility in Alamogordo, New Mexico,  
9 that is constructed and equipped, in part, using funds pro-  
10 vided by the Secretary under the agreement.

11 (2) For purposes of this section:

12 (A) The term “eligible individual” means any  
13 individual eligible for medical and dental care under  
14 chapter 55 of title 10, United States Code, including  
15 any member of the uniformed services entitled to  
16 such care under section 1074(a) of that title.

17 (B) The terms “medical resource facility” and  
18 “facility” mean the medical resource facility to be  
19 constructed and equipped pursuant to the agreement  
20 authorized by paragraph (1).

21 (C) The term “Hospital” means Gerald Cham-  
22 pion Hospital, Alamogordo, New Mexico.

23 (b) **CONTENT OF AGREEMENT.**—Any agreement en-  
24 tered into under subsection (a) shall specify, at a mini-  
25 mum, the following:

1           (1) The relationship between the Hospital and  
2           the Secretary of the Air Force in the provision of  
3           health care services to eligible individuals in the  
4           medical resource facility, including—

5                   (A) whether or not the Secretary and the  
6           Hospital are to use and administer the facility  
7           jointly or independently; and

8                   (B) under what circumstances the Hospital  
9           is to act as a provider of health care services  
10          under the managed care option of the  
11          TRICARE program known as TRICARE  
12          Prime.

13          (2) Matters relating to the administration of  
14          the agreement, including—

15                   (A) the duration of the agreement;

16                   (B) the rights and obligations of the Sec-  
17          retary and the Hospital under the agreement,  
18          including any contracting or grievance proce-  
19          dures applicable under the agreement;

20                   (C) the types of care to be provided to eli-  
21          gible individuals under the agreement, including  
22          the cost to the Department of the Air Force of  
23          providing the care to eligible individuals during  
24          the term of the agreement;

1 (D) the access of Air Force medical per-  
2 sonnel to the facility under the agreement;

3 (E) the rights and responsibilities of the  
4 Secretary and the Hospital upon termination of  
5 the agreement; and

6 (F) any other matters jointly identified by  
7 the Secretary and the Hospital.

8 (3) The nature of the arrangement between the  
9 Secretary and the Hospital with respect to the own-  
10 ership of the facility and any property under the  
11 agreement, including—

12 (A) the nature of that arrangement while  
13 the agreement is in force;

14 (B) the nature of that arrangement upon  
15 termination of the agreement; and

16 (C) any requirement for reimbursement of  
17 the Secretary by the Hospital as a result of the  
18 arrangement upon termination of the agree-  
19 ment.

20 (4) The amount of the funds made available  
21 under subsection (c) that the Secretary will contrib-  
22 ute for the construction and equipping of the facil-  
23 ity.

24 (5) Any conditions or restrictions relating to  
25 the construction, equipping, or use of the facility.

1       (c) AVAILABILITY OF FUNDS FOR CONSTRUCTION  
2 AND EQUIPPING OF FACILITY.—(1) Of the amount au-  
3 thorized to be appropriated pursuant to section 301(4) for  
4 operation and maintenance for the Air Force, not more  
5 than \$7,000,000 may be used by the Secretary of the Air  
6 Force to make a contribution toward the construction and  
7 equipping of the medical resource facility in the event that  
8 the Secretary enters into the agreement authorized by sub-  
9 section (a). Notwithstanding any other provision of law,  
10 the Secretary may not use other sources of funds to make  
11 a contribution toward the construction or equipping of the  
12 facility.

13       (2) Notwithstanding subsection (b)(3) regarding the  
14 ownership and reimbursement issues to be addressed in  
15 the agreement authorized by subsection (a), the Secretary  
16 may not contribute funds made available under paragraph  
17 (1) toward the construction and equipping of the facility  
18 unless the agreement requires, in exchange for the con-  
19 tribution, that the Hospital provide health care services  
20 to eligible individuals without charge to the Secretary or  
21 at a reduced rate. The value of the services provided by  
22 the Hospital shall be at least equal to the amount of the  
23 contribution made by the Secretary, and the Hospital shall  
24 complete the provision of services equal in value to the  
25 Secretary's contribution within seven years after the facil-

1 ity becomes operational. The provision of additional dis-  
2 counted services to be provided by the Hospital shall be  
3 included in the agreement. The value and types of services  
4 to be provided by the Hospital shall be negotiated in ac-  
5 cordance with principles of resource-sharing agreements  
6 under the TRICARE program.

7 (d) NOTICE AND WAIT.—The Secretary of the Air  
8 Force may not enter into the agreement authorized by  
9 subsection (a) until 90 days after the Secretary of Defense  
10 submits to the congressional defense committees the re-  
11 port required by subsection (e).

12 (e) REPORT ON PROPOSED AGREEMENT.—The Sec-  
13 retary of Defense shall submit to Congress a report con-  
14 taining an analysis of, and recommendations regarding,  
15 the agreement proposed to be entered into under sub-  
16 section (a), in particular, the implications of the agree-  
17 ment on regional health care costs and its effect on imple-  
18 mentation of the TRICARE program in the region. The  
19 report shall also include a copy of the agreement, the re-  
20 sults of a cost-benefit analysis conducted by the Secretary  
21 of the Air Force with respect to the agreement, and such  
22 other information with respect to the agreement as the  
23 Secretary of Defense and the Secretary of the Air Force  
24 considers appropriate. The cost-benefit analysis shall con-  
25 sider the effects of the agreement on operation and main-

1 tenance and military construction requirements at  
2 Holloman Air Force Base, New Mexico.

3 (f) SUBSEQUENT REPORTS.—If the Secretary of the  
4 Air Force enters into the agreement authorized by sub-  
5 section (a), the Secretary shall submit to Congress an an-  
6 nual report containing a revised cost-benefit analysis of  
7 the consequences of the agreement as in effect during the  
8 year covered by the report, including a full accounting of  
9 any cost savings realized by the Department of the Air  
10 Force as a result of the agreement. A report shall be sub-  
11 mitted for each year in which the agreement is in effect  
12 or until the Hospital provides the full value of health care  
13 services required under subsection (c)(2), whichever oc-  
14 curs first.

15 **SEC. 244. DISCLOSURES OF CAUTIONARY INFORMATION ON**  
16 **PRESCRIPTION MEDICATIONS.**

17 (a) REGULATIONS REQUIRED.—Not later than 180  
18 days after the date of the enactment of this Act, the Sec-  
19 retary of Defense, in consultation with the administering  
20 Secretaries referred to in section 1073 of title 10, United  
21 States Code, shall prescribe regulations to require each  
22 source described in subsection (d) that dispenses a pre-  
23 scription medication to a beneficiary under chapter 55 of  
24 such title to include with the medication the written cau-  
25 tionary information required by subsection (b).

1 (b) INFORMATION TO BE DISCLOSED.—Information  
2 required to be disclosed about a medication under the reg-  
3 ulations shall include appropriate cautions about usage of  
4 the medication, including possible side effects and poten-  
5 tially hazardous interactions with foods.

6 (c) FORM OF INFORMATION.—The regulations shall  
7 require that information be furnished in a form that, to  
8 the maximum extent practicable, is easily read and under-  
9 stood.

10 (d) COVERED SOURCES.—The regulations shall apply  
11 to the following:

12 (1) Pharmacies and any other dispensers of  
13 prescription medications in medical facilities of the  
14 uniformed services.

15 (2) Sources of prescription medications under  
16 any mail order pharmaceuticals program provided by  
17 any of the administering Secretaries under chapter  
18 55 of title 10, United States Code.

19 (3) Pharmacies paid under the Civilian Health  
20 and Medical Program of the Uniformed Services (in-  
21 cluding the TRICARE program).

22 (4) Pharmacies, and any other pharmaceutical  
23 dispensers, of designated providers referred to in  
24 section 721(5) of the National Defense Authoriza-

1       tion Act for Fiscal Year 1997 (Public Law 104–201;  
2       110 Stat. 2593; 10 U.S.C. 1073 note).

3   **SEC. 245. COMPETITIVE PROCUREMENT OF CERTAIN OPH-**  
4                   **THALMIC SERVICES.**

5       (a) COMPETITIVE PROCUREMENT REQUIRED.—Be-  
6       ginning not later than October 1, 1998, the Secretary of  
7       Defense shall competitively procure from private-sector  
8       sources, or other sources outside of the Department of De-  
9       fense, all ophthalmic services related to the provision of  
10      single vision and multivision eyeware for members of the  
11      Armed Forces, retired members, and certain covered bene-  
12      ficiaries under chapter 55 of title 10, United States Code,  
13      who would otherwise receive such ophthalmic services  
14      through the Department of Defense.

15      (b) EXCEPTION.—Subsection (a) shall not apply to  
16      the extent that the Secretary of Defense determines that  
17      the use of sources within the Department of Defense to  
18      provide such ophthalmic services—

19              (1) is necessary to meet the readiness require-  
20      ments of the Armed Forces; or

21              (2) is more cost effective.

22      (c) COMPLETION OF EXISTING ORDERS.—Subsection  
23      (a) shall not apply to orders for ophthalmic services re-  
24      ceived on or before September 30, 1998.



1 **SEC. 246. COMPTROLLER GENERAL STUDY OF ADEQUACY**  
2 **AND EFFECT OF MAXIMUM ALLOWABLE**  
3 **CHARGES FOR PHYSICIANS UNDER**  
4 **CHAMPUS.**

5 (a) STUDY REQUIRED.—The Comptroller General  
6 shall conduct a study regarding the adequacy of the maxi-  
7 mum allowable charges for physicians established under  
8 the Civilian Health and Medical Program of the Uni-  
9 formed Services (CHAMPUS) and the effect of such  
10 charges on the participation of physicians in CHAMPUS.  
11 The study shall include an evaluation of the following:

12 (1) The methodology used by the Secretary of  
13 Defense to establish maximum allowable charges for  
14 physicians under CHAMPUS, and whether such  
15 methodology conforms to the requirements of section  
16 1079(h) of title 10, United States Code.

17 (2) The differences between the established  
18 charges under CHAMPUS and reimbursement rates  
19 for similar services under title XVIII of the Social  
20 Security Act and other health care programs.

21 (3) The basis for physician complaints that the  
22 CHAMPUS established charges are too low.

23 (4) The difficulty of CHAMPUS in ensuring  
24 physician compliance with the CHAMPUS estab-  
25 lished charges in the absence of legal mechanisms to

1       enforce compliance, and the effect of noncompliance  
2       on patient out-of-pocket expenses.

3           (5) The effect of the established charges under  
4       CHAMPUS on the participation of physicians in  
5       CHAMPUS, and the extent and success of Depart-  
6       ment of Defense efforts to increase physician partici-  
7       pation in areas with low participation rates.

8       (b) SUBMISSION OF REPORT.—Not later than March  
9   1, 1998, the Comptroller General shall submit to Congress  
10 a report containing the results of the study required by  
11 subsection (a).

12 **SEC. 247. COMPTROLLER GENERAL STUDY OF DEPART-**  
13 **MENT OF DEFENSE PHARMACY PROGRAMS.**

14       (a) STUDY.—Not later than March 31, 1998, the  
15 Comptroller General shall submit to Congress a study  
16 evaluating the pharmacy programs of the Department of  
17 Defense. The study shall examine the impact of such phar-  
18 macy programs on the aggregate cost, quality, and acces-  
19 sibility of health care provided to covered beneficiaries  
20 under chapter 55 of title 10, United States Code, and shall  
21 include an examination of the following:

22           (1) The merits and feasibility of establishing a  
23       uniform formulary for military treatment facility  
24       pharmacies and civilian contractor pharmacy benefit  
25       administrators.

1           (2) The reasons that military treatment facili-  
2       ties deny covered beneficiaries access to pharmacy  
3       care and shift such beneficiaries to other sources of  
4       pharmacy care.

5           (3) The merits and feasibility of using private  
6       sector cost control mechanisms implemented by au-  
7       thorized civilian contractors in the Department of  
8       Defense medical programs, and the existence of any  
9       barriers to the use of such mechanisms, including  
10      factors that may undermine the incentives of such  
11      contractors to optimize treatment outcomes in man-  
12      aging the care of covered beneficiaries without ex-  
13      ceeding budgeted resources.

14          (4) The cost impacts, if any, of the use of com-  
15      mercial managed care methods of furnishing phar-  
16      maceuticals to covered beneficiaries by TRICARE  
17      program contractors instead of procuring pharma-  
18      ceuticals at discounted prices pursuant to section  
19      8126 of title 38, United States Code.

20          (5) The existence of options for increasing the  
21      discounts available to TRICARE program contrac-  
22      tors without undermining controls for preventing di-  
23      version of items procured by the Department of De-  
24      fense to nonmilitary populations.

1 (b) RESPONSE TO STUDY.—Not later than 90 days  
2 after the Comptroller General submits to Congress the  
3 study required by subsection (a), the Secretary of Defense  
4 shall submit to Congress a report on the feasibility and  
5 advisability of implementing changes to the pharmacy pro-  
6 grams of the Department of Defense based on the findings  
7 and conclusions of the study.

8 **SEC. 248. COMPTROLLER GENERAL STUDY OF NAVY GRAD-**  
9 **UATE MEDICAL EDUCATION PROGRAM.**

10 (a) STUDY REQUIRED.—The Comptroller General  
11 shall conduct a study to evaluate the validity of the rec-  
12 ommendations made by the Medical Education Policy  
13 Council of the Bureau of Medicine and Surgery of the  
14 Navy regarding restructuring the graduate medical edu-  
15 cation program of the Department of the Navy. The study  
16 shall specifically address the Council's recommendations  
17 relating to residency training conducted at Naval Medical  
18 Center, Portsmouth, Virginia, and National Naval Medical  
19 Center, Bethesda, Maryland.

20 (b) SUBMISSION OF REPORT.—Not later than March  
21 1, 1998, the Comptroller General shall submit to Congress  
22 and the Secretary of the Navy a report containing the re-  
23 sults of the study required by subsection (a).

24 (c) MORATORIUM ON RESTRUCTURING.—Until the  
25 report required by subsection (b) is submitted to Congress,

1 the Secretary of the Navy may not make any change in  
2 the types of residency programs conducted under the Navy  
3 graduate medical education program or the locations at  
4 which such residency programs are conducted or otherwise  
5 restructure the Navy graduate medical education pro-  
6 gram.

7 **SEC. 249. STUDY OF EXPANSION OF PHARMACEUTICALS BY**  
8 **MAIL PROGRAM TO INCLUDE ADDITIONAL**  
9 **MEDICARE-ELIGIBLE COVERED BENE-**  
10 **FICIARIES.**

11 Not later than six months after the date of the enact-  
12 ment of this Act, the Secretary of Defense shall submit  
13 to Congress a report regarding the feasibility and advis-  
14 ability of expanding the category of persons eligible to par-  
15 ticipate in the demonstration project for the purchase of  
16 prescription pharmaceuticals by mail, as required by sec-  
17 tion 702(a) of the National Defense Authorization Act for  
18 Fiscal Year 1993 (Public Law 102–484; 10 U.S.C. 1079  
19 note), to include persons referred to in subsection (c) of  
20 section 1086 of title 10, United States Code, who are cov-  
21 ered by subsection (d)(1) of such section and reside in the  
22 United States outside of the catchment area of a medical  
23 treatment facility of the uniformed services.

1 **SEC. 250. COMPTROLLER GENERAL STUDY OF REQUIRE-**  
2 **MENT FOR MILITARY MEDICAL FACILITIES IN**  
3 **NATIONAL CAPITAL REGION.**

4 (a) STUDY REQUIRED.—The Comptroller General  
5 shall conduct a study to evaluate the requirements for  
6 Army, Navy, and Air Force medical facilities in the Na-  
7 tional Capital Region (as defined in section 2674(f)(2) of  
8 title 10, United States Code). The study shall—

9 (1) specifically address requirements with re-  
10 spect to geography, facilities, integrated residencies,  
11 and medical environments; and

12 (2) provide specific recommendations with re-  
13 spect to how medical and health care provided by  
14 these facilities may be better coordinated to more ef-  
15 ficiently serve, throughout the National Capital Re-  
16 gion, members of the Armed Forces on active duty  
17 and covered beneficiaries under chapter 55 of title  
18 10, United States Code.

19 (b) SUBMISSION OF REPORT.—Not later than six  
20 months after the date of the enactment of this Act, the  
21 Comptroller General shall submit to Congress and the Sec-  
22 retary of Defense a report containing the results of the  
23 study required by subsection (a).

1 **SEC. 251. REPORT ON POLICIES AND PROGRAMS TO PRO-**  
2 **MOTE HEALTHY LIFESTYLES FOR MEMBERS**  
3 **OF THE ARMED FORCES AND THEIR DEPEND-**  
4 **ENTS.**

5 (a) REPORT.—Not later than March 30, 1998, the  
6 Secretary of Defense shall submit to the Committee on  
7 Armed Services of the Senate and the Committee on Na-  
8 tional Security of the House of Representatives a report  
9 on the effectiveness of the policies and programs of the  
10 Department of Defense intended to promote healthy life-  
11 styles for members of the Armed Forces and their depend-  
12 ents.

13 (b) POLICIES AND PROGRAMS TO BE ASSESSED.—  
14 The report under subsection (a) shall include an assess-  
15 ment of the effectiveness of the following:

16 (1) Programs intended to educate members of  
17 the Armed Forces and their dependents about the  
18 potential health consequences of the use of alcohol  
19 and tobacco.

20 (2) Policies of the commissaries, post ex-  
21 changes, and service clubs, and for entertainment  
22 activities of the Department of Defense, relating to  
23 the sale and use of alcohol and tobacco.

24 (3) Programs intended to provide support to  
25 members of the Armed Forces and their dependents

1       who choose to reduce or eliminate their use of alco-  
2       hol or tobacco.

3               (4) Any other policies or programs intended to  
4       promote healthy lifestyles for members of the Armed  
5       Forces and their dependents.

6 **SEC. 252. SENSE OF CONGRESS REGARDING QUALITY**  
7               **HEALTH CARE FOR RETIREES.**

8       (a) FINDINGS.—Congress makes the following find-  
9       ings:

10              (1) Many retired military personnel believe that  
11       they were promised lifetime health care in exchange  
12       for 20 or more years of service.

13              (2) Military retirees are the only Federal Gov-  
14       ernment personnel who have been prevented from  
15       using their employer-provided health care at or after  
16       65 years of age.

17              (3) Military health care has become increasingly  
18       difficult to obtain for military retirees as the De-  
19       partment of Defense reduces its health care infra-  
20       structure.

21              (4) Military retirees deserve to have a health  
22       care program that is at least comparable with that  
23       of retirees from civilian employment by the Federal  
24       Government.



1           (5) The availability of quality, lifetime health  
2       care is a critical recruiting incentive for the Armed  
3       Forces.

4           (6) Quality health care is a critical aspect of  
5       the quality of life of the men and women serving in  
6       the Armed Forces.

7       (b) SENSE OF CONGRESS.—It is the sense of Con-  
8       gress that—

9           (1) the United States has incurred a moral obli-  
10      gation to provide health care to members and former  
11      members of the Armed Forces who are entitled to  
12      retired or retainer pay (or its equivalent);

13          (2) it is, therefore, necessary to provide quality,  
14      affordable health care to such retirees; and

15          (3) Congress and the President should take  
16      steps to address the problems associated with the  
17      availability of health care for such retirees within  
18      two years after the date of the enactment of this  
19      Act.

## 20       **Subtitle F—Persian Gulf Illness**

### 21       **SEC. 261. DEFINITIONS.**

22       For purposes of this subtitle:

23          (1) The term “Gulf War illness” means any one  
24      of the complex of illnesses and symptoms that might  
25      have been contracted by members of the Armed

1 Forces as a result of service in the Southwest Asia  
2 theater of operations during the Persian Gulf War.

3 (2) The term “Persian Gulf War” has the  
4 meaning given that term in section 101 of title 38,  
5 United States Code.

6 (3) The term “Persian Gulf veteran” means an  
7 individual who served on active duty in the Armed  
8 Forces in the Southwest Asia theater of operations  
9 during the Persian Gulf War.

10 (4) The term “contingency operation” has the  
11 meaning given that term in section 101(a) of title  
12 10, United States Code, and includes a humani-  
13 tarian operation, peacekeeping operation, or similar  
14 operation.

15 **SEC. 262. PLAN FOR HEALTH CARE SERVICES FOR PERSIAN**  
16 **GULF VETERANS.**

17 (a) PLAN REQUIRED.—The Secretary of Defense and  
18 the Secretary of Veterans Affairs, acting jointly, shall pre-  
19 pare a plan to provide appropriate health care to Persian  
20 Gulf veterans (and dependents eligible by law) who suffer  
21 from a Gulf War illness.

22 (b) CONTENTS OF PLAN.—In preparing the plan, the  
23 Secretaries shall—

24 (1) use the presumptions of service connection  
25 and illness specified in paragraphs (1) and (2) of

1 section 721(d) of the National Defense Authoriza-  
2 tion Act for Fiscal Year 1995 (Public Law 103–337;  
3 10 U.S.C. 1074 note) to determine the Persian Gulf  
4 veterans (and dependents eligible by law) who should  
5 be covered by the plan;

6 (2) consider the need and methods available to  
7 provide health care services to Persian Gulf veterans  
8 who are no longer on active duty in the Armed  
9 Forces, such as Persian Gulf veterans who are mem-  
10 bers of the reserve components and Persian Gulf  
11 veterans who have been separated from the Armed  
12 Forces; and

13 (3) estimate the costs to the Government of  
14 providing full or partial health care services under  
15 the plan to covered Persian Gulf veterans (and cov-  
16 ered dependents eligible by law).

17 (c) FOLLOW-UP TREATMENT.—The plan required by  
18 subsection (a) shall specifically address the measures to  
19 be used to monitor the quality, appropriateness, and effec-  
20 tiveness of, and patient satisfaction with, health care serv-  
21 ices provided to Persian Gulf veterans after their initial  
22 medical examination as part of registration in the Persian  
23 Gulf War Veterans Health Registry or the Comprehensive  
24 Clinical Evaluation Program.

1 (d) SUBMISSION OF PLAN.—Not later than March 1,  
2 1998, the Secretaries shall submit to Congress the plan  
3 required by subsection (a).

4 **SEC. 263. COMPTROLLER GENERAL STUDY OF REVISED**  
5 **DISABILITY CRITERIA FOR PHYSICAL EVAL-**  
6 **UATION BOARDS.**

7 Not later than March 1, 1998, the Comptroller Gen-  
8 eral shall submit to Congress a study evaluating the revi-  
9 sions made by the Secretary of Defense (as required by  
10 section 721(e) of the National Defense Authorization Act  
11 for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C.  
12 1074 note)) to the Physical Evaluation Board criteria  
13 used to set disability ratings for members of the Armed  
14 Forces who are no longer medically qualified for continu-  
15 ation on active duty so as to ensure accurate disability  
16 ratings related to a diagnosis of a Gulf War illness.

17 **SEC. 264. MEDICAL CARE FOR CERTAIN RESERVES WHO**  
18 **SERVED IN SOUTHWEST ASIA DURING THE**  
19 **PERSIAN GULF WAR.**

20 (a) IN GENERAL.—Chapter 55 of title 10, United  
21 States Code, is amended by inserting after section 1074d  
22 the following new section:

1 **“§ 1074e. Medical care: certain Reserves who served**  
2 **in Southwest Asia during the Persian**  
3 **Gulf Conflict**

4 “(a) ENTITLEMENT TO MEDICAL CARE.—A member  
5 of the armed forces described in subsection (b) is entitled  
6 to medical care for a qualifying Persian Gulf symptom or  
7 illness to the same extent and under the same conditions  
8 (other than the requirement that the member be on active  
9 duty) as a member of a uniformed service who is entitled  
10 to such care under section 1074(a) of this title.

11 “(b) COVERED MEMBERS.—Subsection (a) applies to  
12 a member of a reserve component who—

13 “(1) is a Persian Gulf veteran;

14 “(2) has a qualifying Persian Gulf symptom or  
15 illness; and

16 “(3) is not otherwise entitled to medical care  
17 for such symptom or illness under this chapter and  
18 is not otherwise eligible for hospital care and medi-  
19 cal services for such symptom or illness under sec-  
20 tion 1710 of title 38.

21 “(c) DEFINITIONS.—In this section:

22 “(1) The term ‘Persian Gulf veteran’ means a  
23 member of the armed forces who served on active  
24 duty in the Southwest Asia theater of operations  
25 during the Persian Gulf Conflict.

1           “(2) The term ‘qualifying Persian Gulf symp-  
2           tom or illness’ means, with respect to a member de-  
3           scribed in subsection (b), a symptom or illness—

4                   “(A) that the member registered before  
5           September 1, 1997, in the Comprehensive Clini-  
6           cal Evaluation Program of the Department of  
7           Defense and that is presumed under section  
8           721(d) of the National Defense Authorization  
9           Act for Fiscal Year 1995 (10 U.S.C. 1074  
10          note) to be a result of service in the Southwest  
11          Asia theater of operations during the Persian  
12          Gulf Conflict; or

13                   “(B) that the member registered before  
14          September 1, 1997, in the Persian Gulf War  
15          Veterans Health Registry maintained by the  
16          Department of Veterans Affairs pursuant to  
17          section 702 of the Persian Gulf War Veterans’  
18          Health Status Act (38 U.S.C. 527 note).”.

19          (b) CLERICAL AMENDMENT.—The table of sections  
20          at the beginning of such chapter is amended by inserting  
21          after the item relating to section 1074d the following new  
22          item:

          “1074e. Medical care: certain Reserves who served in Southwest Asia during the  
          Persian Gulf Conflict.”.

1 **SEC. 265. IMPROVED MEDICAL TRACKING SYSTEM FOR**  
2 **MEMBERS DEPLOYED OVERSEAS IN CONTIN-**  
3 **GENCY OR COMBAT OPERATIONS.**

4 (a) SYSTEM REQUIRED.—(1) Chapter 55 of title 10,  
5 United States Code, is amended by inserting after section  
6 1074e (as added by section 264) the following new section:

7 **“§ 1074f. Medical tracking system for members de-**  
8 **ployed overseas**

9 “(a) SYSTEM REQUIRED.—The Secretary of Defense  
10 shall establish a system to assess the medical condition  
11 of members of the armed forces (including members of the  
12 reserve components) who are deployed outside the United  
13 States or its territories or possessions as part of a contin-  
14 gency operation (including a humanitarian operation,  
15 peacekeeping operation, or similar operation) or combat  
16 operation.

17 “(b) ELEMENTS OF SYSTEM.—The system described  
18 in subsection (a) shall include the use of predeployment  
19 medical examinations and postdeployment medical exami-  
20 nations (including an assessment of mental health and the  
21 drawing of blood samples) to accurately record the medical  
22 condition of members before their deployment and any  
23 changes in their medical condition during the course of  
24 their deployment. The postdeployment examination shall  
25 be conducted when the member is redeployed or otherwise

1 leaves an area in which the system is in operation (or as  
2 soon as possible thereafter).

3 “(c) RECORDKEEPING.—The results of all medical  
4 examinations conducted under the system, records of all  
5 health care services (including immunizations) received by  
6 members described in subsection (a) in anticipation of  
7 their deployment or during the course of their deployment,  
8 and records of events occurring in the deployment area  
9 that may affect the health of such members shall be re-  
10 tained and maintained in a centralized location to improve  
11 future access to the records.

12 “(d) QUALITY ASSURANCE.—The Secretary of De-  
13 fense shall establish a quality assurance program to evalu-  
14 ate the success of the system in ensuring that members  
15 described in subsection (a) receive predeployment medical  
16 examinations and postdeployment medical examinations  
17 and that the recordkeeping requirements with respect to  
18 the system are met.”.

19 (2) The table of sections at the beginning of such  
20 chapter is amended by inserting after the item relating  
21 to section 1074e (as added by section 264) the following  
22 new item:

“1074f. Medical tracking system for members deployed overseas.”.

23 (b) REPORT.—Not later than March 1, 1998, the  
24 Secretary of Defense shall submit to Congress an analysis  
25 of the administrative implications of establishing and ad-



1 ministering the medical tracking system required by sec-  
2 tion 1074f of title 10, United States Code, as added by  
3 subsection (a). The report shall include, for fiscal year  
4 1999 and the 5 successive fiscal years, a separate analysis  
5 and specification of the projected costs and operational  
6 considerations for each of the following required aspects  
7 of the system:

- 8 (1) Predeployment medical examinations.
- 9 (2) Postdeployment medical examinations.
- 10 (3) Recordkeeping.

11 **SEC. 266. NOTICE OF USE OF INVESTIGATIONAL NEW**  
12 **DRUGS OR DRUGS UNAPPROVED FOR THEIR**  
13 **APPLIED USE.**

14 (a) NOTICE REQUIREMENTS.—Chapter 55 of title 10,  
15 United States Code, is amended by adding at the end the  
16 following new section:

17 **“§ 1107. Notice of use of an investigational new drug**  
18 **or a drug unapproved for its applied use**

19 “(a) NOTICE REQUIRED.—(1) Whenever the Sec-  
20 retary of Defense requests or requires a member of the  
21 armed forces to receive an investigational new drug or a  
22 drug unapproved for its applied use, the Secretary shall  
23 provide the member with notice containing the information  
24 specified in subsection (d).

1       “(2) The Secretary shall also ensure that health care  
2 providers who administer an investigational new drug or  
3 a drug unapproved for its applied use, or who are likely  
4 to treat members who receive such a drug, receive the in-  
5 formation required to be provided under paragraphs (3)  
6 and (4) of subsection (d).

7       “(b) TIME OF NOTICE.—The notice required to be  
8 provided to a member under subsection (a)(1) shall be pro-  
9 vided before the investigational new drug or drug unap-  
10 proved for its applied use is first administered to the mem-  
11 ber, if practicable, but in no case later than 30 days after  
12 the drug is first administered to the member.

13       “(c) FORM OF NOTICE.—The notice required under  
14 subsection (a)(1) shall be provided in writing unless the  
15 Secretary of Defense determines that the use of written  
16 notice is impractical because of the number of members  
17 receiving the investigational new drug or drug unapproved  
18 for its applied use, time constraints, or similar reasons.  
19 If the Secretary provides notice under subsection (a)(1)  
20 in a form other than in writing, the Secretary shall submit  
21 to Congress a report describing the notification method  
22 used and the reasons for the use of the alternative method.

23       “(d) CONTENT OF NOTICE.—The notice required  
24 under subsection (a)(1) shall include the following:

1           “(1) Clear notice that the drug being adminis-  
2           tered is an investigational new drug or a drug unap-  
3           proved for its applied use.

4           “(2) The reasons why the investigational new  
5           drug or drug unapproved for its applied use is being  
6           administered.

7           “(3) Information regarding the possible side ef-  
8           fects of the investigational new drug or drug unap-  
9           proved for its applied use, including any known side  
10          effects possible as a result of the interaction of such  
11          drug with other drugs or treatments being adminis-  
12          tered to the members receiving such drug.

13          “(4) Such other information that, as a condi-  
14          tion of authorizing the use of the investigational new  
15          drug or drug unapproved for its applied use, the  
16          Secretary of Health and Human Services may re-  
17          quire to be disclosed.

18          “(e) RECORDS OF USE.—The Secretary of Defense  
19          shall ensure that the medical records of members accu-  
20          rately document—

21                 “(1) the receipt by members of any investiga-  
22                 tional new drug or drug unapproved for its applied  
23                 use; and

24                 “(2) the notice required by subsection (a)(1).

25          “(f) DEFINITIONS.—In this section:

1           “(1) The term ‘investigational new drug’ means  
2       a drug covered by section 505(i) of the Federal  
3       Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)).

4           “(2) The term ‘drug unapproved for its applied  
5       use’ means a drug administered for a use not de-  
6       scribed in the approved labeling of the drug under  
7       section 505 of the Federal Food, Drug, and Cos-  
8       metic Act (21 U.S.C. 355).”.

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

“1107. Notice of use of an investigational new drug or a drug unapproved for  
its applied use.”.

12   **SEC. 267. REPORT ON PLANS TO TRACK LOCATION OF MEM-**  
13                   **BERS IN A THEATER OF OPERATIONS.**

14       Not later than March 1, 1998, the Secretary of De-  
15   fense shall submit to Congress a report containing a plan  
16   for collecting and maintaining information regarding the  
17   daily location of units of the Armed Forces, and to the  
18   extent practicable individual members of such units, serv-  
19   ing in a theater of operations during a contingency oper-  
20   ation or combat operation.

1 **SEC. 268. SENSE OF CONGRESS REGARDING THE DEPLOY-**  
2 **MENT OF SPECIALIZED UNITS FOR DETECT-**  
3 **ING AND MONITORING CHEMICAL, BIOLOGI-**  
4 **CAL, AND SIMILAR HAZARDS IN A THEATER**  
5 **OF OPERATIONS.**

6 It is the sense of Congress that the Secretary of De-  
7 fense, in conjunction with the Chairman of the Joint  
8 Chiefs of Staff, should take such actions as are necessary  
9 to ensure that the units of the Armed Forces deployed  
10 in the theater of operations for each contingency operation  
11 or combat operation include specialized units with suffi-  
12 cient capability (including personnel with the appropriate  
13 training and expertise, and the appropriate equipment) to  
14 detect and monitor the presence of chemical, biological,  
15 and similar hazards to which members of the Armed  
16 Forces could be exposed in that theater during the oper-  
17 ation.

18 **SEC. 269. REPORT ON EFFECTIVENESS OF RESEARCH EF-**  
19 **FORTS REGARDING GULF WAR ILLNESSES.**

20 Not later than March 1, 1998, the Secretary of De-  
21 fense shall submit to Congress a report evaluating the ef-  
22 fectiveness of medical research initiatives regarding Gulf  
23 War illnesses. The report shall address the following:

- 24 (1) The type and effectiveness of previous re-  
25 search efforts, including the activities undertaken  
26 pursuant to section 743 of the National Defense Au-

1       thorization Act for Fiscal Year 1997 (Public Law  
2       104–201; 10 U.S.C. 1074 note), section 722 of the  
3       National Defense Authorization Act for Fiscal Year  
4       1995 (Public Law 103–337; 10 U.S.C. 1074 note),  
5       and sections 270 and 271 of the National Defense  
6       Authorization Act for Fiscal Year 1994 (Public Law  
7       103–160; 107 Stat. 1613).

8               (2) Recommendations regarding additional re-  
9       search regarding Gulf War illnesses, including re-  
10      search regarding the nature and causes of Gulf War  
11      illnesses and appropriate treatments for such ill-  
12      nesses.

13              (3) The adequacy of Federal funding and the  
14      need for additional funding for medical research ini-  
15      tiatives regarding Gulf War illnesses.

16   **SEC. 270. PERSIAN GULF ILLNESS CLINICAL TRIALS PRO-**  
17                                   **GRAM.**

18              (a) FINDINGS.—Congress finds the following:

19                (1) There are many ongoing studies that inves-  
20      tigate risk factors which may be associated with the  
21      health problems experienced by Persian Gulf veter-  
22      ans; however, there have been no studies that exam-  
23      ine health outcomes and the effectiveness of the  
24      treatment received by such veterans.

1           (2) The medical literature and testimony pre-  
2           sented in hearings on Gulf War illnesses indicate  
3           that there are therapies, such as cognitive behavioral  
4           therapy, that have been effective in treating patients  
5           with symptoms similar to those seen in many Per-  
6           sian Gulf veterans.

7           (b) ESTABLISHMENT OF PROGRAM.—The Secretary  
8           of Defense and the Secretary of Veterans Affairs, acting  
9           jointly, shall establish a program of cooperative clinical  
10          trials at multiple sites to assess the effectiveness of proto-  
11          cols for treating Persian Gulf veterans who suffer from  
12          ill-defined or undiagnosed conditions. Such protocols shall  
13          include a multidisciplinary treatment model, of which cog-  
14          nitive behavioral therapy is a component.

15          (c) FUNDING.—Of the funds authorized to be appro-  
16          priated in section 201(1) for research, development, test,  
17          and evaluation for the Army, the sum of \$4,500,000 shall  
18          be available for program element 62787A (medical tech-  
19          nology) in the budget of the Department of Defense for  
20          fiscal year 1998 to carry out the clinical trials program  
21          established pursuant to subsection (b).

22       **SEC. 271. SENSE OF CONGRESS CONCERNING GULF WAR**  
23       **ILLNESS.**

24          (a) FINDINGS.—Congress makes the following find-  
25          ings:

1           (1) Americans served in the Persian Gulf Con-  
2       flict of 1991 in defense of vital national security in-  
3       terests of the United States.

4           (2) It was known to United States intelligence  
5       and military commanders that biological and chemi-  
6       cal agents were in theater throughout the conflict.

7           (3) An undetermined amount of these agents  
8       were released into theater.

9           (4) A large number of United States military  
10      veterans and allied veterans who served in the  
11      Southwest Asia theater of operations have been  
12      stricken with a variety of severe illnesses.

13          (5) Previous efforts to discern the causes of  
14      those illnesses have been inadequate, and those ill-  
15      nesses are affecting the health of both veterans and  
16      their families.

17      (b) SENSE OF CONGRESS.—It is the sense of Con-  
18      gress that all promising technology and treatments relat-  
19      ing to Gulf War illnesses should be fully explored and test-  
20      ed to facilitate treatment for members of the Armed  
21      Forces and veterans who served the United States in the  
22      Persian Gulf conflict and are stricken with unexplainable  
23      illness.



# TITLE III—MILITARY CONSTRUCTION, ARMY

## SEC. 301. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 304(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

### Army: Inside the United States

State	Installation or Location	Amount
Alabama .....	Redstone Arsenal .....	\$27,000,000
Arizona .....	Fort Huachuca .....	\$20,000,000
California .....	Fort Irwin .....	\$11,150,000
	Naval Weapons Station, Concord .....	\$23,000,000
Colorado .....	Fort Carson .....	\$47,300,000
Georgia .....	Fort Gordon .....	\$22,000,000
	Hunter Army Air Field, Fort Stewart .....	\$54,000,000
Hawaii .....	Schofield Barracks .....	\$44,000,000
Indiana .....	Crane Army Ammunition Activity .....	\$7,700,000
Kansas .....	Fort Leavenworth .....	\$63,000,000
	Fort Riley .....	\$25,800,000
Kentucky .....	Fort Campbell .....	\$53,600,000
	Fort Knox .....	\$7,200,000
Missouri .....	Fort Leonard Wood .....	\$3,200,000
New Jersey .....	Fort Monmouth .....	\$2,050,000
New Mexico .....	White Sands Missile Range .....	\$6,900,000
New York .....	Fort Drum .....	\$24,400,000
North Carolina .....	Fort Bragg .....	\$17,700,000
Oklahoma .....	Fort Sill .....	\$25,000,000
South Carolina .....	Naval Weapons Station, Charleston .....	\$7,700,000
Texas .....	Fort Bliss .....	\$7,700,000
	Fort Hood .....	\$27,200,000
	Fort Sam Houston .....	\$16,000,000
Virginia .....	Fort A.P. Hill .....	\$5,400,000
	Fort Myer .....	\$8,200,000
	Fort Story .....	\$2,050,000
Washington .....	Fort Lewis .....	\$33,000,000
CONUS Classified .....	Classified Location .....	\$6,500,000
	Total .....	\$598,750,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 304(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

**Army: Outside the United States**

Country	Installation or Location	Amount
Germany .....	Ansbach .....	\$22,000,000
	Heidelberg .....	\$8,800,000
	Mannheim .....	\$6,200,000
	Military Support Group, Kaiserslautern .....	\$6,000,000
Korea .....	Camp Casey .....	\$5,100,000
	Camp Castle .....	\$8,400,000
	Camp Humphreys .....	\$32,000,000
	Camp Red Cloud .....	\$23,600,000
	Camp Stanley .....	\$7,000,000
Overseas Classified .....	Overseas Classified .....	\$37,000,000
Total .....		\$156,100,000

**SEC. 302. FAMILY HOUSING.**

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to authorization of appropriations in section 304(a)(5)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

**Army: Family Housing**

State	Installation or Location	Purpose	Amount
Arizona .....	Fort Huachuca .....	55 Units .....	\$8,000,000
Hawaii .....	Schofield Barracks .....	132 Units .....	\$26,600,000
Maryland .....	Fort Meade .....	56 Units .....	\$7,900,000
New Jersey .....	Picatinny Arsenal .....	35 Units .....	\$7,300,000
North Carolina .....	Fort Bragg .....	174 Units .....	\$20,150,000
Texas .....	Fort Bliss .....	91 Units .....	\$12,900,000
	Fort Hood .....	130 Units .....	\$18,800,000
Total ....			\$101,650,000

1 (b) PLANNING AND DESIGN.—Using amounts appro-  
2 priated pursuant to the authorization of appropriations in  
3 section 304(a)(5)(A), the Secretary of the Army may carry  
4 out architectural and engineering services and construc-  
5 tion design activities with respect to the construction or  
6 improvement of family housing units in an amount not  
7 to exceed \$9,550,000.

8 **SEC. 303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
9 **UNITS.**

10 Subject to section 2825 of title 10, United States  
11 Code, and using amounts appropriated pursuant to the  
12 authorization of appropriations in sections 304(a)(5)(A),  
13 the Secretary of the Army may improve existing military  
14 family housing units in an amount not to exceed  
15 \$86,100,000.

16 **SEC. 304. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

17 (a) IN GENERAL.—Funds are hereby authorized to  
18 be appropriated for fiscal years beginning after September  
19 30, 1997, for military construction, land acquisition, and  
20 military family housing functions of the Department of the  
21 Army in the total amount of \$2,010,466,000 as follows:

22 (1) For military construction projects inside the  
23 United States authorized by section 301(a),  
24 \$435,350,000.

1           (2) For the military construction projects out-  
2       side the United States authorized by section 301(b),  
3       \$156,100,000.

4           (3) For unspecified minor military construction  
5       projects authorized by section 2805 of title 10, Unit-  
6       ed States Code, \$7,400,000.

7           (4) For architectural and engineering services  
8       and construction design under section 2807 of title  
9       10, United States Code, \$65,577,000.

10          (5) For military family housing functions:

11               (A) For construction and acquisition, plan-  
12       ning and design, and improvement of military  
13       family housing and facilities, \$197,300,000.

14               (B) For support of military family housing  
15       (including the functions described in section  
16       2833 of title 10, United States Code),  
17       \$1,145,339,000.

18          (6) For the construction of the National Range  
19       Control Center, White Sands Missile Range, New  
20       Mexico, authorized by section 2101(a) of the Mili-  
21       tary Construction Authorization Act for Fiscal Year  
22       1997 (division B of Public Law 104–201; 110 Stat.  
23       2763), \$18,000,000.

24          (7) For the construction of the whole barracks  
25       complex renewal, Fort Knox, Kentucky, authorized

1 by section 2101(a) of the Military Construction Au-  
2 thorization Act for Fiscal Year 1997 (division B of  
3 Public Law 104–201; 110 Stat. 2763), \$22,000,000.

4 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
5 PROJECTS.—Notwithstanding the cost variations author-  
6 ized by section 2853 of title 10, United States Code, and  
7 any other cost variation authorized by law, the total cost  
8 of all projects carried out under section 301 of this Act  
9 may not exceed—

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

13 (2) \$14,400,000 (the balance of the amount au-  
14 thorized under section 2101(a) for the construction  
15 of the Force XXI Soldier Development School at  
16 Fort Hood, Texas);

17 (3) \$24,000,000 (the balance of the amount au-  
18 thorized under section 2101(a) for rail yard expan-  
19 sion at Fort Carson, Colorado);

20 (4) \$43,000,000 (the balance of the amount au-  
21 thorized under section 2101(a) for the construction  
22 of a disciplinary barracks at Fort Leavenworth,  
23 Kansas);

24 (5) \$42,500,000 (the balance of the amount au-  
25 thorized under section 2101(a) for the construction

1 of a barracks at Hunter Army Airfield, Fort Stew-  
2 art, Georgia);

3 (6) \$17,000,000 (the balance of the amount au-  
4 thorized under section 2101(a) for the construction  
5 of a barracks at Fort Sill, Oklahoma);

6 (7) \$14,000,000 (the balance of the amount au-  
7 thorized under section 2101(a) for the construction  
8 of a missile software engineering facility at Redstone  
9 Arsenal, Alabama); and

10 (8) \$8,500,000 (the balance of the amount au-  
11 thorized under section 2101(a) for the construction  
12 of an aerial gunnery range at Fort Drum, New  
13 York).

14 (c) ADJUSTMENT.—The total amount authorized to  
15 be appropriated pursuant to paragraphs (1) through (7)  
16 of subsection (a) is the sum of the amounts authorized  
17 in such paragraphs, reduced by \$36,600,000, which rep-  
18 resents the combination of savings resulting from adjust-  
19 ments to foreign currency exchange rates for military con-  
20 struction projects and the support of military family hous-  
21 ing outside the United States.

22 **SEC. 305. CORRECTION IN AUTHORIZED USES OF FUNDS,**  
23 **FORT IRWIN, CALIFORNIA.**

24 The Secretary of the Army may carry out a military  
25 construction project at Fort Irwin, California, to construct

1 a heliport for the National Training Center at Barstow-  
2 Daggett, California, using the following amounts:

3 (1) Amounts appropriated pursuant to the au-  
4 thorization of appropriations in section 2104(a)(1)  
5 of the Military Construction Authorization Act for  
6 Fiscal Year 1995 (division B of Public Law 103–  
7 337; 108 Stat. 3029) for a military construction  
8 project involving the construction of an air field at  
9 Fort Irwin, as authorized by section 2101(a) of such  
10 Act (108 Stat. 3027).

11 (2) Amounts appropriated pursuant to the au-  
12 thorization of appropriations in section 2104(a)(1)  
13 of the Military Construction Authorization Act for  
14 Fiscal Year 1996 (division B of Public Law 104–  
15 106; 110 Stat. 524) for a military construction  
16 project involving the construction of an air field at  
17 Fort Irwin, as authorized by section 2101(a) of such  
18 Act (110 Stat. 523).

19 **TITLE IV—MILITARY**  
20 **CONSTRUCTION, NAVY**

21 **SEC. 401. AUTHORIZED NAVY CONSTRUCTION AND LAND**  
22 **ACQUISITION PROJECTS.**

23 (a) INSIDE THE UNITED STATES.—Using amounts  
24 appropriated pursuant to the authorization of appropria-  
25 tions in section 404(a)(1), the Secretary of the Navy may

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

**Navy: Inside the United States**

State	Installation or Location	Amount
Arizona .....	Marine Corps Air Station, Yuma .....	\$12,250,000
	Navy Detachment, Camp Navajo .....	\$11,426,000
California .....	Marine Corps Air Station, Camp Pendleton .....	\$14,020,000
	Marine Corps Air Station, Miramar .....	\$8,700,000
	Marine Corps Air-Ground Combat Center, Twentynine Palms .....	\$3,810,000
	Marine Corps Base, Camp Pendleton .....	\$60,069,000
	Naval Air Facility, El Centro .....	\$11,000,000
	Naval Air Station, North Island .....	\$19,600,000
	Naval Amphibious Base, Coronado ..	\$10,100,000
	Naval Construction Battalion Center, Port Hueneme .....	\$3,200,000
Connecticut .....	Naval Submarine Base, New London .....	\$21,960,000
Florida .....	Naval Air Station, Jacksonville .....	\$3,480,000
	Naval Air Station, Whiting Field .....	\$1,300,000
	Naval Station, Mayport .....	\$17,940,000
Hawaii .....	Fort DeRussey .....	\$9,500,000
	Marine Corps Air Station, Kaneohe Bay .....	\$19,000,000
	Naval Communications and Telecommunications Area Master Station Eastern Pacific, Honolulu .....	\$3,900,000
	Naval Station, Pearl Harbor .....	\$25,000,000
Illinois .....	Naval Training Center, Great Lakes .....	\$41,220,000
Indiana .....	Naval Surface Warfare Center, Crane .....	\$4,120,000
Maryland .....	Naval Electronics System Command, St. Ingoes .....	\$2,610,000
Mississippi .....	Naval Air Station, Meridian .....	\$7,050,000
North Carolina .....	Marine Corps Air Station, Cherry Point .....	\$8,800,000
	Marine Corps Air Station, New River .....	\$19,900,000
Rhode Island .....	Naval Undersea Warfare Center Division, Newport .....	\$8,900,000
South Carolina .....	Marine Corps Air Station, Beaufort .....	\$17,730,000
	Marine Corps Reserve Detachment Parris Island .....	\$3,200,000
Texas .....	Naval Air Station, Corpus Christi ..	\$800,000
Virginia .....	AEGIS Training Center, Dahlgren ..	\$6,600,000



**Navy: Inside the United States**—Continued

State	Installation or Location	Amount
Washington .....	Fleet Combat Training Center, Dam Neck .....	\$7,000,000
	Naval Air Station, Norfolk .....	\$18,240,000
	Naval Air Station, Oceana .....	\$28,000,000
	Naval Amphibious Base, Little Creek .....	\$8,685,000
	Naval Shipyard, Norfolk, Portsmouth .....	\$29,410,000
	Naval Station, Norfolk .....	\$18,850,000
	Naval Surface Warfare Center, Dahlgren .....	\$13,880,000
	Naval Weapons Station, Yorktown ..	\$14,547,000
	Naval Air Station, Whidbey Island ..	\$1,100,000
	Puget Sound Naval Shipyard, Bremerton .....	\$4,400,000
Total .....		\$521,297,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts  
2 appropriated pursuant to the authorization of appropria-  
3 tions in section 404(a)(2), the Secretary of the Navy may  
4 acquire real property and carry out military construction  
5 projects for the installations and locations outside the  
6 United States, and in the amounts, set forth in the follow-  
7 ing table:

**Navy: Outside the United States**

Country	Installation or Location	Amount
Bahrain .....	Administrative Support Unit, Bahrain .....	\$30,100,000
Guam .....	Naval Communications and Telecommunications Area Master Station Western Pacific, Guam .....	
Italy .....	Naval Air Station, Sigonella .....	\$4,050,000
United Kingdom .....	Naval Support Activity, Naples .....	\$21,440,000
	Joint Maritime Communications Center, St. Mawgan .....	\$8,200,000
		\$2,330,000
Total .....		\$66,120,000

**8 SEC. 402. FAMILY HOUSING.**

9 (a) CONSTRUCTION AND ACQUISITION.—Using  
10 amounts appropriated pursuant to the authorization of ap-

1 appropriations in section 404(a)(5)(A), the Secretary of the  
 2 Navy may construct or acquire family housing units (in-  
 3 cluding land acquisition) at the installations, for the pur-  
 4 poses, and in the amounts set forth in the following table:

**Navy: Family Housing**

State	Installation or Location	Purpose	Amount
California .....	Marine Corps Air Sta- tion, Miramar .....	166 Units .....	\$28,881,000
	Marine Corps Air- Ground Combat Cen- ter, Twentynine Palms .....	132 Units .....	\$23,891,000
	Marine Corps Base, Camp Pendleton .....	171 Units .....	\$22,518,000
	Naval Air Station, Lemoore .....	128 Units .....	\$23,226,000
	Naval Complex, San Diego .....	94 Units .....	\$13,500,000
	Hawaii .....	Naval Complex, Pearl Harbor .....	72 Units .....
Louisiana .....	Naval Complex, New Orleans .....	100 Units .....	\$11,930,000
Texas .....	Naval Complex, Kingsville and Cor- pus Christi .....	212 Units .....	\$22,250,000
Washington .....	Naval Air Station, Whidbey Island .....	102 Units .....	\$16,000,000
		Total ....	\$175,196,000

5 (b) PLANNING AND DESIGN.—Using amounts appro-  
 6 priated pursuant to the authorization of appropriation in  
 7 section 404(a)(5)(A), the Secretary of the Navy may carry  
 8 out architectural and engineering services and construc-  
 9 tion design activities with respect to the construction or  
 10 improvement of military family housing units in an  
 11 amount not to exceed \$15,100,000.

1 **SEC. 403. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
2 **UNITS.**

3 Subject to section 2825 of title 10, United States  
4 Code, and using amounts appropriated pursuant to the  
5 authorization of appropriations in section 404(a)(5)(A),  
6 the Secretary of the Navy may improve existing military  
7 family housing units in an amount not to exceed  
8 \$203,536,000.

9 **SEC. 404. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

10 (a) IN GENERAL.—Funds are hereby authorized to  
11 be appropriated for fiscal years beginning after September  
12 30, 1997, for military construction, land acquisition, and  
13 military family housing functions of the Department of the  
14 Navy in the total amount of \$2,027,339,000 as follows:

15 (1) For military construction projects inside the  
16 United States authorized by section 401(a),  
17 \$521,297,000.

18 (2) For military construction projects outside  
19 the United States authorized by section 401(b),  
20 \$66,120,000.

21 (3) For unspecified minor construction projects  
22 authorized by section 2805 of title 10, United States  
23 Code, \$11,460,000.

24 (4) For architectural and engineering services  
25 and construction design under section 2807 of title  
26 10, United States Code, \$46,489,000.

1 (5) For military family housing functions:

2 (A) For construction and acquisition, plan-  
3 ning and design, and improvement of military  
4 family housing and facilities, \$393,832,000.

5 (B) For support of military housing (in-  
6 cluding functions described in section 2833 of  
7 title 10, United States Code), \$976,504,000.

8 (6) For construction of a bachelor enlisted  
9 quarters at Naval Hospital, Great Lakes, Illinois,  
10 authorized by section 2201(a) of the Military Con-  
11 struction Authorization Act for Fiscal Year 1997  
12 (division B of Public Law 104–201; 110 Stat.  
13 2766), \$5,200,000.

14 (7) For construction of a bachelor enlisted  
15 quarters at Naval Station, Roosevelt Roads, Puerto  
16 Rico, authorized by section 2201(a) of the Military  
17 Construction Authorization Act for Fiscal Year 1997  
18 (division B of Public Law 104–201; 110 Stat.  
19 2767), \$14,600,000.

20 (8) For construction of a large anechoic cham-  
21 ber facility at Patuxent River Naval Air Warfare  
22 Center, Maryland, authorized by section 2201(a) of  
23 the Military Construction Authorization Act for Fis-  
24 cal Year 1993 (division B of Public Law 102–484;  
25 106 Stat. 2590), \$9,000,000.

1       (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
2 PROJECTS.—Notwithstanding the cost variations author-  
3 ized by section 2853 of title 10, United States Code, and  
4 any other cost variation authorized by law, the total cost  
5 of all projects carried out under section 401 of this Act  
6 may not exceed the total amount authorized to be appro-  
7 priated under paragraphs (1) and (2) of subsection (a).

8       (c) ADJUSTMENTS.—The total amount authorized to  
9 be appropriated pursuant to paragraphs (1) through (8)  
10 of subsection (a) is the sum of the amounts authorized  
11 to be appropriated in such paragraphs, reduced by—

12           (1) \$8,463,000, which represents the combina-  
13 tion of project savings in military family housing  
14 construction resulting from favorable bids, reduced  
15 overhead costs, and cancellations due to force struc-  
16 ture changes; and

17           (2) \$8,700,000, which represents the combina-  
18 tion of savings resulting from adjustments to foreign  
19 currency exchange rates for military construction  
20 projects and the support of military family housing  
21 outside the United States.

1 **SEC. 405. AUTHORIZATION OF MILITARY CONSTRUCTION**  
 2 **PROJECT AT NAVAL STATION, PASCAGOULA,**  
 3 **MISSISSIPPI, FOR WHICH FUNDS HAVE BEEN**  
 4 **APPROPRIATED.**

5 (a) AUTHORIZATION.—The table in section 2201(a)  
 6 of the Military Construction Authorization Act for Fiscal  
 7 Year 1997 (division B of Public Law 104–201; 110 Stat.  
 8 2766) is amended—

9 (1) by striking out the amount identified as the  
 10 total and inserting in lieu thereof “\$594,982,000”;  
 11 and

12 (2) by inserting after the item relating to Sten-  
 13 nis Space Center, Mississippi, the following new  
 14 item:

	“Naval Station, Pascagoula .....	\$4,990,000”.
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15 (b) CONFORMING AMENDMENTS.—Section 2204(a)  
 16 of such Act (110 Stat. 2769) is amended—

17 (1) in the matter preceding the paragraphs, by  
 18 striking out “\$2,213,731,000” and inserting in lieu  
 19 thereof “\$2,218,721,000”; and

20 (2) in paragraph (1), by striking out  
 21 “\$579,312,000” and inserting in lieu thereof  
 22 “\$584,302,000”.

1 **SEC. 406. INCREASE IN AUTHORIZATION FOR MILITARY**  
2 **CONSTRUCTION PROJECTS AT NAVAL STA-**  
3 **TION, ROOSEVELT ROADS, PUERTO RICO.**

4 (a) INCREASE.—The table in section 2201(b) of the  
5 Military Construction Authorization Act for Fiscal Year  
6 1997 (division B of Public Law 104–201; 110 Stat. 2767)  
7 is amended—

8 (1) by striking out the amount identified as the  
9 total and inserting in lieu thereof “\$66,150,000”;  
10 and

11 (2) in the amount column of the item relating  
12 to Naval Station, Roosevelt Roads, Puerto Rico, by  
13 striking out “\$23,600,000” and inserting in lieu  
14 thereof “\$24,100,000”.

15 (b) CONFORMING AMENDMENT.—Section 2204(b)(4)  
16 of such Act (110 Stat. 2770) is amended by striking out  
17 “\$14,100,000” and inserting in lieu thereof  
18 “\$14,600,000”.

19 **TITLE V—MILITARY**  
20 **CONSTRUCTION, AIR FORCE**

21 **SEC. 501. AUTHORIZED AIR FORCE CONSTRUCTION AND**  
22 **LAND ACQUISITION PROJECTS.**

23 (a) INSIDE THE UNITED STATES.—Using amounts  
24 appropriated pursuant to the authorization of appropria-  
25 tions in section 504(a)(1), the Secretary of the Air Force  
26 may acquire real property and carry out military construc-

tion projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

**Air Force: Inside the United States**

State	Installation or Location	Amount
Alabama .....	Maxwell Air Force Base .....	\$14,874,000
Alaska .....	Clear Air Station .....	\$67,069,000
	Eielson Air Force Base .....	\$13,764,000
	Elmendorf Air Force Base .....	\$6,100,000
	Indian Mountain .....	\$1,991,000
Arizona .....	Luke Air Force Base .....	\$10,000,000
Arkansas .....	Little Rock Air Force Base .....	\$3,400,000
California .....	Edwards Air Force Base .....	\$2,887,000
	Vandenberg Air Force Base .....	\$26,876,000
Colorado .....	Buckley Air National Guard Base ...	\$6,718,000
	Falcon Air Force Station .....	\$10,551,000
	Peterson Air Force Base .....	\$4,081,000
	United States Air Force Academy ...	\$15,229,000
Florida .....	Eglin Auxiliary Field 9 .....	\$6,470,000
	MacDill Air Force Base .....	\$9,643,000
Georgia .....	Moody Air Force Base .....	\$6,800,000
	Robins Air Force Base .....	\$27,763,000
Idaho .....	Mountain Home Air Force Base .....	\$30,669,000
Kansas .....	McConnell Air Force Base .....	\$14,519,000
Louisiana .....	Barksdale Air Force Base .....	\$19,410,000
Mississippi .....	Keesler Air Force Base .....	\$30,855,000
Missouri .....	Whiteman Air Force Base .....	\$17,419,000
Montana .....	Malmstrom Air Force Base .....	\$4,500,000
Nevada .....	Nellis Air Force Base .....	\$1,950,000
New Jersey .....	McGuire Air Force Base .....	\$18,754,000
New Mexico .....	Kirtland Air Force Base .....	\$20,300,000
North Carolina .....	Pope Air Force Base .....	\$10,956,000
North Dakota .....	Grand Forks Air Force Base .....	\$8,560,000
	Minot Air Force Base .....	\$5,200,000
Ohio .....	Wright-Patterson Air Force Base ...	\$19,350,000
Oklahoma .....	Altus Air Force Base .....	\$11,000,000
	Tinker Air Force Base .....	\$9,655,000
	Vance Air Force Base .....	\$7,700,000
South Carolina .....	Shaw Air Force Base .....	\$6,072,000
South Dakota .....	Ellsworth Air Force Base .....	\$6,600,000
Tennessee .....	Arnold Air Force Base .....	\$20,650,000
Texas .....	Dyess Air Force Base .....	\$10,000,000
	Laughlin Air Force Base .....	\$4,800,000
	Randolph Air Force Base .....	\$2,488,000
Utah .....	Hill Air Force Base .....	\$6,470,000
Virginia .....	Langley Air Force Base .....	\$4,031,000
Washington .....	Fairchild Air Force Base .....	\$20,316,000
	McChord Air Force Base .....	\$6,470,000
CONUS Classified .....	Classified Location .....	\$6,175,000
	Total .....	\$559,085,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 504(a)(2), the Secretary of the Air Force



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

**Air Force: Outside the United States**

Country	Installation or Location	Amount
Germany .....	Spangdahlem Air Base .....	\$18,500,000
Italy .....	Aviano Air Base .....	\$15,220,000
Korea .....	Kunsan Air Base .....	\$10,325,000
Portugal .....	Lajes Field, Azores .....	\$4,800,000
United Kingdom .....	Royal Air Force, Lakenheath .....	\$11,400,000
Overseas Classified .....	Classified Location .....	\$29,100,000
	Total .....	\$89,345,000

**5 SEC. 502. FAMILY HOUSING.**

6 (a) CONSTRUCTION AND ACQUISITION.—Using  
 7 amounts appropriated pursuant to the authorization of ap-  
 8 propriations in section 504(a)(5)(A), the Secretary of the  
 9 Air Force may construct or acquire family housing units  
 10 (including land acquisition) at the installations, for the  
 11 purposes, and in the amounts set forth in the following  
 12 table:

**Air Force: Family Housing**

State	Installation or Location	Purpose	Amount
California .....	Edwards Air Force		
	Base .....	51 Units .....	\$8,500,000
	Travis Air Force Base	70 Units .....	\$9,714,000
	Vandenberg Air Force		
Delaware .....	Base .....	108 Units .....	\$17,100,000
	Dover Air Force Base	Ancillary Facil- ity .....	\$831,000
District of Columbia .....	Bolling Air Force Base	46 Units .....	\$5,100,000
Florida .....	MacDill Air Force Base	58 Units .....	\$10,000,000
	Tyndall Air Force Base	32 Units .....	\$4,200,000
Georgia .....	Robins Air Force Base	60 Units .....	\$6,800,000
Idaho .....	Mountain Home Air		
	Force Base .....	60 Units .....	\$11,032,000
Kansas .....	McConnell Air Force		
	Base .....	19 Units .....	\$2,951,000

**Air Force: Family Housing—Continued**

State	Installation or Location	Purpose	Amount
Mississippi .....	McConnell Air Force Base .....	Ancillary Facility .....	\$581,000
	Columbus Air Force Base .....	50 Units .....	\$6,200,000
Montana .....	Keesler Air Force Base .....	40 Units .....	\$5,000,000
	Malmstrom Air Force Base .....	100 Units .....	\$17,842,000
New Mexico .....	Kirtland Air Force Base .....	180 Units .....	\$20,900,000
	Grand Forks Air Force Base .....	42 Units .....	\$7,936,000
Texas .....	Dyess Air Force Base ..	70 Units .....	\$10,503,000
	Goodfellow Air Force Base .....	3 Units .....	\$500,000
Wyoming .....	Lackland Air Force Base .....	50 Units .....	\$7,400,000
	F. E. Warren Air Force Base .....	52 Units .....	\$6,853,000
		Total ....	\$159,943,000

1 (b) PLANNING AND DESIGN.—Using amounts appro-  
2 priated pursuant to the authorization of appropriations in  
3 section 504(a)(5)(A), the Secretary of the Air Force may  
4 carry out architectural and engineering services and con-  
5 struction design activities with respect to the construction  
6 or improvement of military family housing units in an  
7 amount not to exceed \$11,971,000.

8 **SEC. 503. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
9 **UNITS.**

10 Subject to section 2825 of title 10, United States  
11 Code, and using amounts appropriated pursuant to the  
12 authorization of appropriations in section 504(a)(5)(A),  
13 the Secretary of the Air Force may improve existing mili-  
14 tary family housing units in an amount not to exceed  
15 \$123,795,000.

1 **SEC. 504. AUTHORIZATION OF APPROPRIATIONS, AIR**  
2 **FORCE.**

3 (a) IN GENERAL.—Funds are hereby authorized to  
4 be appropriated for fiscal years beginning after September  
5 30, 1997, for military construction, land acquisition, and  
6 military family housing functions of the Department of the  
7 Air Force in the total amount of \$1,791,640,000 as fol-  
8 lows:

9 (1) For military construction projects inside the  
10 United States authorized by section 501(a),  
11 \$559,085,000.

12 (2) For military construction projects outside  
13 the United States authorized by section 501(b),  
14 \$89,345,000.

15 (3) For unspecified minor construction projects  
16 authorized by section 2805 of title 10, United States  
17 Code, \$8,545,000.

18 (4) For architectural and engineering services  
19 and construction design under section 2807 of title  
20 10, United States Code, \$44,880,000.

21 (5) For military housing functions:

22 (A) For construction and acquisition, plan-  
23 ning and design, and improvement of military  
24 family housing and facilities, \$295,709,000.

25 (B) For support of military family housing  
26 (including the functions described in section

1           2833 of title 10, United States Code),  
2           \$830,234,000.

3           (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
4 PROJECTS.—Notwithstanding the cost variations author-  
5 ized by section 2853 of title 10, United States Code, and  
6 any other cost variation authorized by law, the total cost  
7 of all projects carried out under section 501 of this Act  
8 may not exceed the total amount authorized to be appro-  
9 priated under paragraphs (1) and (2) of subsection (a).

10          (c) ADJUSTMENTS.—The total amount authorized to  
11 be appropriated pursuant to paragraphs (1) through (5)  
12 of subsection (a) is the sum of the amounts authorized  
13 to be appropriated in such paragraphs, reduced by—

14           (1) \$23,858,000, which represents the combina-  
15 tion of project savings in military construction re-  
16 sulting from favorable bids, reduced overhead costs,  
17 and cancellations due to force structure changes;  
18 and

19           (2) \$12,300,000, which represents the combina-  
20 tion of savings resulting from adjustments to foreign  
21 currency exchange rates for military construction  
22 projects and the support of military family housing  
23 outside the United States.

1 **SEC. 505. AUTHORIZATION OF MILITARY CONSTRUCTION**  
2 **PROJECT AT MCCONNELL AIR FORCE BASE,**  
3 **KANSAS, FOR WHICH FUNDS HAVE BEEN AP-**  
4 **PROPRIATED.**

5 (a) AUTHORIZATION.—The table in section 2301(a)  
6 of the Military Construction Authorization Act for Fiscal  
7 Year 1997 (division B of Public Law 104–201; 110 Stat.  
8 2771) is amended—

9 (1) by striking out the amount identified as the  
10 total and inserting in lieu thereof “\$610,534,000”;  
11 and

12 (2) in the amount column of the item relating  
13 to McConnell Air Force Base, Kansas, by striking  
14 out “\$19,130,000” and inserting in lieu thereof  
15 “\$25,830,000”.

16 (b) CONFORMING AMENDMENTS.—Section 2304(a)  
17 of such Act (110 Stat. 2774) is amended—

18 (1) in the matter preceding paragraph (1), by  
19 striking out “\$1,894,594,000” and inserting in lieu  
20 thereof “\$1,901,294,000” and

21 (2) in paragraph (1), by striking out  
22 “\$603,834,000” and inserting in lieu thereof  
23 “\$610,534,000”.

# 1 **TITLE VI—MILITARY CONSTRU-**

## 2 **CTION, DEFENSE AGENCIES**

### 3 **SEC. 601. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**

### 4 **TION AND LAND ACQUISITION PROJECTS.**

5 (a) INSIDE THE UNITED STATES.—Using amounts  
6 appropriated pursuant to the authorization of appropria-  
7 tions in section 605(a)(1), the Secretary of Defense may  
8 acquire real property and carry out military construction  
9 projects for the installations and locations inside the Unit-  
10 ed States, and in the amounts, set forth in the following  
11 table:

**Defense Agencies: Inside the United States**

Agency	Installation or Location	Amount
Defense Commissary Agency Defense Finance and Ac- counting Service .....	Fort Lee, Virginia .....	\$9,300,000
	Columbus Center, Ohio .....	\$9,722,000
Defense Intelligence Agency ..	Naval Air Station, Millington, Ten- nessee .....	\$6,906,000
	Naval Station, Norfolk, Virginia .....	\$12,800,000
	Naval Station, Pearl Harbor, Hawaii ..	\$10,000,000
	Bolling Air Force Base, District of Columbia .....	\$7,000,000
Defense Logistics Agency .....	Redstone Arsenal, Alabama .....	\$32,700,000
	Defense Distribution Depot— DDNV, Virginia .....	\$16,656,000
	Defense Distribution New Cum- berland—DDSP, Pennsylvania ....	\$15,500,000
	Defense Fuel Support Point, Craney Island, Virginia .....	\$22,100,000
	Defense General Supply Center, Richmond (DLA), Virginia .....	\$5,200,000
	Elmendorf Air Force Base, Alaska ..	\$21,700,000
	Naval Air Station, Jacksonville, Florida .....	\$9,800,000
	Truax Field, Wisconsin .....	\$4,500,000
	Westover Air Reserve Base, Massa- chusetts .....	\$4,700,000
	CONUS Various, CONUS Various ..	\$11,275,000
Defense Medical Facilities Office .....	Fort Campbell, Kentucky .....	\$13,600,000

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

Agency	Installation or Location	Amount
National Security Agency ..... Special Operations Command	Fort Detrick, Maryland .....	\$4,650,000
	Fort Lewis, Washington .....	\$5,000,000
	Hill Air Force Base, Utah .....	\$3,100,000
	Holloman Air Force Base, New Mexico .....	\$3,000,000
	Lackland Air Force Base, Texas .....	\$3,000,000
	Marine Corps Combat Development Command, Quantico, Virginia .....	\$19,000,000
	McGuire Air Force Base, New Jersey .....	\$35,217,000
	Naval Air Station, Pensacola, Florida .....	\$2,750,000
	Naval Station, Everett, Washington .....	\$7,500,000
	Naval Station, San Diego, California .....	\$2,100,000
	Naval Submarine Base, New London, Connecticut .....	\$2,300,000
	Robins Air Force Base, Georgia .....	\$19,000,000
	Wright-Patterson Air Force Base, Ohio .....	\$2,750,000
	Fort Meade, Maryland .....	\$29,700,000
	Eglin Auxiliary Field 9, Florida .....	\$8,550,000
	Fort Benning, Georgia .....	\$12,314,000
	Fort Bragg, North Carolina .....	\$9,800,000
	Mississippi Army Ammunition Plant, Mississippi .....	\$9,900,000
	Naval Station, Pearl Harbor, Hawaii .....	\$7,400,000
	Naval Amphibious Base, Coronado, California .....	\$7,400,000
	Total .....	\$407,890,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts  
2 appropriated pursuant to the authorization of appropria-  
3 tions in section 605(a)(2), the Secretary of Defense may  
4 acquire real property and carry out military construction  
5 projects for the installation and location outside the Unit-  
6 ed States, and in the amount, set forth in the following  
7 table:

**Defense Agencies: Outside the United States**

Agency	Installation or Location	Amount
Defense Logistics Agency .....	Defense Fuel Support Point, Guam	\$16,000,000
	Total .....	\$16,000,000

1 **SEC. 602. MILITARY HOUSING PLANNING AND DESIGN.**

2       Using amounts appropriated pursuant to the author-  
3 ization of appropriations in section 605(a)(13)(A), the  
4 Secretary of Defense may carry out architectural and en-  
5 gineering services and construction design activities with  
6 respect to the construction or improvement of military  
7 family housing units in an amount not to exceed \$50,000.

8 **SEC. 603. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
9 **UNITS.**

10       Subject to section 2825 of title 10, United States  
11 Code, and using amounts appropriated pursuant to the  
12 authorization of appropriation in section 605(a)(13)(A),  
13 the Secretary of Defense may improve existing military  
14 family housing units in an amount not to exceed  
15 \$4,900,000.

16 **SEC. 604. ENERGY CONSERVATION PROJECTS.**

17       Using amounts appropriated pursuant to the author-  
18 ization of appropriations in section 605(a)(11), the Sec-  
19 retary of Defense may carry out energy conservation  
20 projects under section 2865 of title 10, United States  
21 Code.

22 **SEC. 605. AUTHORIZATION OF APPROPRIATIONS, DEFENSE**  
23 **AGENCIES.**

24       (a) IN GENERAL.—Funds are hereby authorized to  
25 be appropriated for fiscal years beginning after September  
26 30, 1997, for military construction, land acquisition, and



1 military family housing functions of the Department of  
2 Defense (other than the military departments), in the total  
3 amount of \$2,743,670,000 as follows:

4 (1) For military construction projects inside the  
5 United States authorized by section 601(a),  
6 \$407,890,000.

7 (2) For military construction projects outside  
8 the United States authorized by section 601(b),  
9 \$16,000,000.

10 (3) For military construction projects at Annis-  
11 ton Army Depot, Alabama, ammunition demilitariza-  
12 tion facility, authorized by section 2101(a) of the  
13 Military Construction Authorization Act for Fiscal  
14 Year 1993 (division B of the Public Law 102-484;  
15 106 Stat. 2587), which was originally authorized as  
16 an Army construction project, but which became a  
17 Defense Agencies construction project by reason of  
18 the amendments made by section 142 of the Na-  
19 tional Defense Authorization Act for Fiscal Year  
20 1995 (Public Law 103-337; 108 Stat. 2689),  
21 \$9,900,000.

22 (4) For military construction projects at Walter  
23 Reed Army Institute of Research, Maryland, hospital  
24 replacement, authorized by section 2401(a) of the  
25 Military Construction Authorization Act for Fiscal

1 Year 1993 (division B of Public Law 102–484; 106  
2 Stat. 2599), \$20,000,000.

3 (5) For military construction projects at  
4 Umatilla Army Depot, Oregon, authorized by section  
5 2401(a) of the Military Construction Authorization  
6 Act for Fiscal Year 1995 (division B of the Public  
7 Law 103–337; 108 Stat. 3040), as amended by sec-  
8 tion 2407 of the Military Construction Authorization  
9 Act for Fiscal Year 1996 (division B of Public Law  
10 104–106; 110 Stat. 539) and section 2408(2) of this  
11 Act, \$57,427,000.

12 (6) For military construction projects at De-  
13 fense Finance and Accounting Service, Columbus,  
14 Ohio, authorized by section 2401(a) of the Military  
15 Construction Authorization Act of Fiscal Year 1996  
16 (division B of Public Law 104–106; 110 Stat. 535),  
17 \$14,200,000.

18 (7) For military construction projects at Naval  
19 Hospital, Portsmouth, Virginia, hospital replace-  
20 ment, authorized by section 2401(a) of the Military  
21 Construction Authorization Act for Fiscal Years  
22 1990 and 1991 (division B of Public Law 101–189;  
23 103 Stat. 1640), \$17,000,000.

1           (8) For contingency construction projects of the  
2       Secretary of Defense under section 2804 of title 10,  
3       United States Code, \$4,000,000.

4           (9) For unspecified minor construction projects  
5       under section 2805 of title 10, United States Code,  
6       \$26,075,000.

7           (10) For architectural and engineering services  
8       and construction design under section 2807 of title  
9       10, United States Code, \$48,850,000.

10          (11) For energy conservation projects author-  
11       ized by section 2404, \$25,000,000.

12          (12) For base closure and realignment activities  
13       as authorized by the Defense Base Closure and Re-  
14       alignment Act of 1990 (part A of title XXIX of  
15       Public Law 101–510; 10 U.S.C. 2687 note),  
16       \$2,060,854,000.

17          (13) For military family housing functions:

18                (A) For improvement and planning of mili-  
19       tary family housing and facilities, \$4,950,000.

20                (B) For support of military housing (in-  
21       cluding functions described in section 2833 of  
22       title 10, United States Code), \$32,724,000 of  
23       which not more than \$27,673,000 may be obli-  
24       gated or expended for the leasing of military  
25       family housing units worldwide.

1 (b) LIMITATION OF TOTAL COST OF CONSTRUCTION  
 2 PROJECTS.—Notwithstanding the cost variation author-  
 3 ized by section 2853 of title 10, United States Code, and  
 4 any other cost variations authorized by law, the total cost  
 5 of all projects carried out under section 601 of this Act  
 6 may not exceed the total amount authorized to be appro-  
 7 priated under paragraphs (1) and (2) of subsection (a).

8 (c) ADJUSTMENT.—The total amount authorized to  
 9 be appropriated pursuant to paragraphs (1) through (13)  
 10 of subsection (a) is the sum of the amounts authorized  
 11 to be appropriated in such paragraphs, reduced by  
 12 \$1,200,000, which represents the combination of savings  
 13 resulting from adjustments to foreign currency exchange  
 14 rates for military construction projects and the support  
 15 of military family housing outside the United States.

16 **SEC. 606. CLARIFICATION OF AUTHORITY RELATING TO**  
 17 **FISCAL YEAR 1997 PROJECT AT NAVAL STA-**  
 18 **TION, PEARL HARBOR, HAWAII.**

19 The table in section 2401(a) of the Military Construc-  
 20 tion Authorization Act for Fiscal Year 1997 (division B  
 21 of Public Law 104–201; 110 Stat. 2775) is amended in  
 22 the item relating to Special Operations Command, Naval  
 23 Station, Ford Island, Pearl Harbor, Hawaii, in the instal-  
 24 lation or location column by striking out “Naval Station,

1 Ford Island, Pearl Harbor, Hawaii” and inserting in lieu  
2 thereof “Naval Station, Pearl Harbor, Hawaii”.

3 **SEC. 607. CORRECTION IN AUTHORIZED USES OF FUNDS,**  
4 **MCCLELLAN AIR FORCE BASE, CALIFORNIA.**

5 (a) **AUTHORITY TO USE PRIOR YEAR FUNDS.**—The  
6 Secretary of Defense may carry out the military construc-  
7 tion projects referred to in subsection (b), in the amounts  
8 specified in that subsection, using amounts appropriated  
9 pursuant to the authorization of appropriations in section  
10 2405(a)(1) of the Military Construction Authorization Act  
11 for Fiscal Year 1995 (division B of Public Law 103–337;  
12 108 Stat. 3042) for a military construction project involv-  
13 ing the upgrade of the hospital facility at McClellan Air  
14 Force Base, California, as authorized by section 2401 of  
15 such Act (108 Stat. 3040).

16 (b) **COVERED PROJECTS.**—Funds available under  
17 subsection (a) may be used for military construction  
18 projects as follows:

19 (1) Construction of an addition to the  
20 Aeromedical Clinic at Anderson Air Base, Guam,  
21 \$3,700,000.

22 (2) Construction of an occupational health clin-  
23 ic facility at Tinker Air Force Base, Oklahoma,  
24 \$6,500,000.

1 **SEC. 608. MODIFICATION OF AUTHORITY TO CARRY OUT**  
 2 **CERTAIN FISCAL YEAR 1995 PROJECTS.**

3 The table in section 2401 of the Military Construc-  
 4 tion Authorization Act for Fiscal Year 1995 (division B  
 5 of Public Law 103–337; 108 Stat. 3040), as amended by  
 6 section 2407 of the Military Construction Authorization  
 7 Act for Fiscal Year 1996 (division B of Public Law 104–  
 8 106; 110 Stat. 539), under the agency heading relating  
 9 to Chemical Weapons and Munitions Destruction, is  
 10 amended—

11 (1) in the item relating to Pine Bluff Arsenal,  
 12 Arkansas, by striking out “\$115,000,000” in the  
 13 amount column and inserting in lieu thereof  
 14 “\$134,000,000”; and

15 (2) in the item relating to Umatilla Army  
 16 Depot, Oregon, by striking out “\$186,000,000” in  
 17 the amount column and inserting in lieu thereof  
 18 “\$187,000,000”.

19 **TITLE VII—NORTH ATLANTIC**  
 20 **TREATY ORGANIZATION SE-**  
 21 **CURITY INVESTMENT PRO-**  
 22 **GRAM**

23 **SEC. 701. AUTHORIZED NATO CONSTRUCTION AND LAND**  
 24 **ACQUISITION PROJECTS.**

25 The Secretary of Defense may make contributions for  
 26 the North Atlantic Treaty Organization Security Invest-

1 ment program as provided in section 2806 of title 10,  
 2 United States Code, in an amount not to exceed the sum  
 3 of the amount authorized to be appropriated for this pur-  
 4 pose in section 702 and the amount collected from the  
 5 North Atlantic Treaty Organization as a result of con-  
 6 struction previously financed by the United States.

7 **SEC. 702. AUTHORIZATION OF APPROPRIATIONS, NATO.**

8 Funds are hereby authorized to be appropriated for  
 9 fiscal years beginning after September 30, 1997, for con-  
 10 tributions by the Secretary of Defense under section 2806  
 11 of title 10, United States Code, for the share of the United  
 12 States of the cost of projects for the North Atlantic Treaty  
 13 Organization Security Investment program authorized by  
 14 section 701, in the amount of \$152,600,000.

15 **TITLE VIII—GUARD AND**  
 16 **RESERVE FORCES FACILITIES**

17 **SEC. 801. AUTHORIZED GUARD AND RESERVE CONSTRUC-**  
 18 **TION AND LAND ACQUISITION PROJECTS.**

19 (a) IN GENERAL.—There are authorized to be appro-  
 20 priated for fiscal years beginning after September 30,  
 21 1997, for the costs of acquisition, architectural and engi-  
 22 neering services, and construction of facilities for the  
 23 Guard and Reserve Forces, and for contributions therefor,  
 24 under chapter 1803 of title 10, United States Code (in-

cluding the cost of acquisition of land for those facilities),  
the following amounts:

(1) For the Department of the Army—

(A) for the Army National Guard of the  
United States, \$113,750,000; and

(B) for the Army Reserve, \$66,267,000.

(2) For the Department of the Navy, for the  
Naval and Marine Corps Reserve, \$47,329,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the  
United States, \$190,444,000; and

(B) for the Air Force Reserve,  
\$30,243,000.

(b) ADJUSTMENT.—The amount authorized to be ap-  
propriated pursuant to subsection (a)(1)(B) is reduced by  
\$7,900,000, which represents the combination of project  
savings in military construction resulting from favorable  
bids, reduced overhead costs, and cancellations due to  
force structure changes.

**SEC. 802. AUTHORIZATION OF MILITARY CONSTRUCTION**  
**PROJECTS FOR WHICH FUNDS HAVE BEEN**  
**APPROPRIATED.**

(a) ARMY NATIONAL GUARD, HILO, HAWAII.—Para-  
graph (1)(A) of section 2601 of the Military Construction  
Authorization Act for Fiscal Year 1997 (division B of



1 Public Law 104–201; 110 Stat. 2780) is amended by  
2 striking out “\$59,194,000” and inserting in lieu thereof  
3 “\$65,094,000” to account for a project involving additions  
4 and alterations to an Army aviation support facility in  
5 Hilo, Hawaii.

6 (b) NAVAL AND MARINE CORPS RESERVE, NEW OR-  
7 LEANS.—Paragraph (2) of such section is amended by  
8 striking out “\$32,779,000” and inserting in lieu thereof  
9 “\$37,579,000” to account for a project for the construc-  
10 tion of a bachelor enlisted quarters at Naval Air Station,  
11 New Orleans, Louisiana.

12 **SEC. 803. ARMY RESERVE CONSTRUCTION PROJECT, CAMP**  
13 **WILLIAMS, UTAH.**

14 With regard to the military construction project for  
15 the Army Reserve concerning construction of a reserve  
16 center and organizational maintenance shop at Camp Wil-  
17 liams, Utah, to be carried out using funds appropriated  
18 pursuant to the authorization of appropriations in section  
19 2601(a)(1)(B), the Secretary of the Army shall enter into  
20 an agreement with the State of Utah under which the  
21 State agrees to provide financial or in-kind contributions  
22 toward land acquisition, site preparation, and relocation  
23 costs in connection with the project.

1 **TITLE IX—EXPIRATION AND EX-**  
2 **TENSION OF CERTAIN AU-**  
3 **THORIZATIONS**

4 **SEC. 901. EXPIRATION OF MILITARY CONSTRUCTION AU-**  
5 **THORIZATIONS AND AMOUNTS REQUIRED TO**  
6 **BE SPECIFIED BY LAW.**

7 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE  
8 YEARS.—Except as provided in subsection (b), all author-  
9 izations contained in titles III through VIII for military  
10 construction projects, land acquisition, family housing  
11 projects and facilities, and contributions to the North At-  
12 lantic Treaty Organization Security Investment program  
13 (and authorizations of appropriations therefor) shall ex-  
14 pire on the later of—

15 (1) October 1, 2000; or

16 (2) the date of the enactment of an Act author-  
17 izing funds for military construction for fiscal year  
18 2001.

19 (b) EXCEPTION.—Subsection (a) shall not apply to  
20 authorizations for military construction projects, land ac-  
21 quisition, family housing projects and facilities, and con-  
22 tributions to the North Atlantic Treaty Organization Se-  
23 curity Investment program (and authorizations of appro-  
24 priations therefor), for which appropriated funds have  
25 been obligated before the later of—

1 (1) October 1, 2000; or

2 (2) the date of the enactment of an Act author-  
 3 izing funds for fiscal year 2001 for military con-  
 4 struction projects, land acquisition, family housing  
 5 projects and facilities, or contributions to the North  
 6 Atlantic Treaty Organization Security Investment  
 7 program.

8 **SEC. 902. EXTENSION OF AUTHORIZATIONS OF CERTAIN**  
 9 **FISCAL YEAR 1995 PROJECTS.**

10 (a) EXTENSION.—Notwithstanding section 2701 of  
 11 the Military Construction Authorization Act for Fiscal  
 12 Year 1995 (division B of Public Law 103–337; 108 Stat.  
 13 3046), authorizations for the projects set forth in the ta-  
 14 bles in subsection (b), as provided in section 2101, 2201,  
 15 2202, 2301, 2302, 2401, or 2601 of such Act, shall re-  
 16 main in effect until October 1, 1998, or the date of the  
 17 enactment of an Act authorizing funds for military con-  
 18 struction for fiscal year 1999, whichever is later.

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

**Army: Extension of 1995 Project Authorization**

State	Installation or lo- cation	Project	Amount
California .....	Fort Irwin .....	National Train- ing Center Airfield Phase I .....	\$10,000,000

**Navy: Extension of 1995 Project Authorizations**

State	Installation or location	Project	Amount
Maryland .....	Indian Head Naval Surface Warfare Center .....	Upgrade Power Plant .....	\$4,000,000
	Indian Head Naval Surface Warfare Center .....	Denitrification/Acid Mixing Facility .....	\$6,400,000
Virginia .....	Norfolk Marine Corps Security Force Battalion Atlantic .....	Bachelor Enlisted Quarters .....	\$6,480,000
Washington .....	Naval Station, Everett .....	New Construction (Housing Office) ...	\$780,000
CONUS Classified ...	Classified Location	Aircraft Fire and Rescue and Vehicle Maintenance Facilities .....	\$2,200,000

**Air Force: Extension of 1995 Project Authorizations**

State	Installation or location	Project	Amount
California .....	Beale Air Force Base .....	Consolidated Support Center .....	\$10,400,000
	Los Angeles Air Force Station .....	Family Housing (50 units) .....	\$8,962,000
North Carolina .....	Pope Air Force Base .....	Combat Control Team Facility .....	\$2,450,000
	Pope Air Force Base .....	Fire Training Facility .....	\$1,100,000

**Defense Agencies: Extension of 1995 Project Authorizations**

State	Installation or location	Project	Amount
Alabama .....	Anniston Army Depot .....	Carbon Filtration System	\$5,000,000
Arkansas .....	Pine Bluff Arsenal	Ammunition Demilitarization Facility	\$115,000,000
California .....	Defense Contract Management Area Office, El Segundo .....	Administrative Building .....	\$5,100,000

**Defense Agencies: Extension of 1995 Project  
Authorizations—Continued**

State	Installation or location	Project	Amount
Oregon .....	Umatilla Army Depot .....	Ammunition Demilitarization Facility	\$186,000,000

**Army National Guard: Extension of 1995 Project  
Authorizations**

State	Installation or location	Project	Amount
California .....	Camp Roberts .....	Modify Record Fire/Maintenance Shop ..	\$3,910,000
	Camp Roberts .....	Combat Pistol Range .....	\$952,000
Pennsylvania .....	Fort Indiantown Gap .....	Barracks .....	\$6,200,000

**Naval Reserve: Extension of 1995 Project Authorization**

State	Installation or location	Project	Amount
Georgia .....	Naval Air Station Marietta .....	Training Center	\$2,650,000

**1 SEC. 903. EXTENSION OF AUTHORIZATIONS OF CERTAIN**  
**2 FISCAL YEAR 1994 PROJECTS.**

3 (a) EXTENSION.—Notwithstanding section 2701 of  
4 the Military Construction Authorization Act for Fiscal  
5 Year 1994 (division B of Public Law 103–160, 107 Stat.  
6 1880), authorizations for the projects set forth in the ta-  
7 bles in subsection (b), as provided in section 2201 or 2601  
8 of such Act and extended by section 2702 of the Military  
9 Construction Authorization Act for Fiscal Year 1997 (di-  
10 vision B of Public Law 104–201; 110 Stat. 2783), shall  
11 remain in effect until October 1, 1998, or the date of the  
12 enactment of an Act authorizing funds for military con-  
13 struction for fiscal year 1999, whichever is later.

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

**Navy: Extension of 1994 Project Authorizations**

State	Installation or Location	Project	Amount
California .....	Camp Pendleton Marine Corps Base .....	Sewage Facility	\$7,930,000
Connecticut .....	New London Naval Submarine Base .....	Hazardous Waste Transfer Facility ..	\$1,450,000

**Army National Guard: Extension of 1994 Project Authorization**

State	Installation or Location	Project	Amount
New Mexico .....	White Sands Missile Range	MATES .....	\$3,570,000

**SEC. 904. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1993 PROJECTS.**

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1993 (division B of Public Law 102–484; 106 Stat. 2602), the authorizations for the projects set forth in the tables in subsection (b), as provided in section 2101 or 2601 of such Act and extended by section 2702 of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104–106; 110 Stat. 541) and section 2703 of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2784), shall remain in effect until October 1, 1998, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 1999, whichever is later.

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

**Army: Extension of 1993 Project Authorization**

State	Installation or location	Project	Amount
Arkansas .....	Pine Bluff Arsenal .....	Ammunition Demilitarization Support Facility .....	\$15,000,000

**Army National Guard: Extension of 1993 Project Authorization**

State	Installation or Location	Project	Amount
Alabama .....	Union Springs .....	Armory .....	\$813,000

**SEC. 905. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1992 PROJECTS.**

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1992 (division B of Public Law 102–190; 105 Stat. 1535), authorizations for the projects set forth in the table in subsection (b), as provided in section 2101 of such Act and extended by section 2702 of the Military Construction Authorization Act for Fiscal Year 1995 (division B of Public Law 103–337; 108 Stat. 3047), section 2703 of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104–106; 110 Stat. 543), and section 2704 of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2785), shall remain in effect until October 1, 1998, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 1999, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

**Army: Extension of 1992 Project Authorizations**

State	Installation or location	Project	Amount
Oregon .....	Umatilla Army Depot .....	Ammunition Demilitarization Support Facility .....	\$3,600,000
	Umatilla Army Depot .....	Ammunition Demilitarization Utilities	\$7,500,000

**SEC. 906. EXTENSION OF AVAILABILITY OF FUNDS FOR CONSTRUCTION OF RELOCATABLE OVER-THE-HORIZON RADAR, NAVAL STATION ROOSEVELT ROADS, PUERTO RICO.**

Amounts appropriated under the heading “DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE” in title VI of the Department of Defense Appropriations Act, 1995 (Public Law 103–335; 108 Stat. 2615), and transferred to the “Military Construction, Navy” appropriation for construction of a relocatable over-the-horizon radar at Naval Station Roosevelt Roads, Puerto Rico, shall remain available for that purpose until the later of—

- (1) October 1, 1998; or
- (2) the date of enactment of an Act authorizing funds for military construction for fiscal year 1999.



1     **TITLE X—GENERAL MILITARY**  
2     **CONSTRUCTION PROVISIONS**  
3     **Subtitle A—Military Construction**  
4     **Program and Military Family**  
5     **Housing Changes**

6     **SEC. 1001. USE OF MOBILITY ENHANCEMENT FUNDS FOR**  
7                     **UNSPECIFIED MINOR CONSTRUCTION.**

8             (a) CONGRESSIONAL NOTIFICATION.—Subsection  
9     (b)(1) of section 2805 of title 10, United States Code, is  
10    amended by adding at the end the following new sentence:  
11    “‘This paragraph shall apply even though the project is  
12    to be carried out using funds made available to enhance  
13    the deployment and mobility of military forces and sup-  
14    plies.’”.

15            (b) RESTRICTION ON USE OF OPERATION AND MAIN-  
16    TENANCE FUNDS.—Subsection (c) of such section is  
17    amended—

18                (1) in paragraph (1), by striking out “para-  
19                graph (2)” and inserting in lieu thereof “paragraphs  
20                (2) and (3)”;

21                (2) by adding at the end the following new  
22    paragraph:

23                “(3) The limitations specified in paragraph (1) shall  
24    not apply to an unspecified minor military construction  
25    project if the project is to be carried out using funds made

1 available to enhance the deployment and mobility of mili-  
2 tary forces and supplies.”.

3 (c) TECHNICAL AMENDMENTS.—Such section is fur-  
4 ther amended—

5 (1) in subsection (a)(1)—

6 (A) by striking out “minor military con-  
7 struction projects” in the first sentence and in-  
8 serting in lieu thereof “unspecified minor mili-  
9 tary construction projects”;

10 (B) by striking out “A minor” in the sec-  
11 ond sentence and inserting in lieu thereof “An  
12 unspecified minor”; and

13 (C) by striking out “a minor” in the last  
14 sentence and inserting in lieu thereof “an un-  
15 specified minor”;

16 (2) in subsection (b)(1), by striking out “A  
17 minor” and inserting in lieu thereof “An unspecified  
18 minor”;

19 (3) in subsection (b)(2), by striking out “a  
20 minor” and inserting in lieu thereof “an unspecified  
21 minor”; and

22 (4) in subsection (c), by striking out “unspec-  
23 ified military” each place it appears and inserting in  
24 lieu thereof “unspecified minor military”.

1 **SEC. 1002. LIMITATION ON USE OF OPERATION AND MAIN-**  
2 **TENANCE FUNDS FOR FACILITY REPAIR**  
3 **PROJECTS.**

4 Section 2811 of title 10, United States Code, is  
5 amended by adding at the end the following new sub-  
6 sections:

7 “(d) CONGRESSIONAL NOTIFICATION.—When a deci-  
8 sion is made to carry out a repair project under this sec-  
9 tion with an estimated cost in excess of \$10,000,000, the  
10 Secretary concerned shall submit to the appropriate com-  
11 mittees of Congress a report containing—

12 “(1) the justification for the repair project and  
13 the current estimate of the cost of the project; and

14 “(2) the justification for carrying out the  
15 project under this section.

16 “(e) REPAIR PROJECT DEFINED.—In this section,  
17 the term ‘repair project’ means a project to restore a real  
18 property facility, system, or component to such a condition  
19 that it may effectively be used for its designated functional  
20 purpose.”.

21 **SEC. 1003. LEASING OF MILITARY FAMILY HOUSING, UNIT-**  
22 **ED STATES SOUTHERN COMMAND, MIAMI,**  
23 **FLORIDA.**

24 (a) LEASES TO EXCEED MAXIMUM RENTAL.—Sec-  
25 tion 2828(b) of title 10, United States Code, is amended—

1           (1) in paragraph (2), by striking out “para-  
2       graph (3)” and inserting in lieu thereof “paragraphs  
3       (3) and (4)”;

4           (2) by redesignating paragraph (4) as para-  
5       graph (5); and

6           (3) by inserting after paragraph (3) the follow-  
7       ing new paragraph:

8       “(4) The Secretary of the Army may lease not more  
9       than eight housing units in the vicinity of Miami, Florida,  
10      for key and essential personnel, as designated by the Sec-  
11      retary, for the United States Southern Command for  
12      which the expenditure for the rental of such units (includ-  
13      ing the cost of utilities, maintenance, and operation, in-  
14      cluding security enhancements) exceeds the expenditure  
15      limitations in paragraphs (2) and (3). The total amount  
16      for all leases under this paragraph may not exceed  
17      \$280,000 per year, and no lease on any individual housing  
18      unit may exceed \$60,000 per year.”.

19       (b) CONFORMING AMENDMENT.—Paragraph (5) of  
20      such section, as redesignated by subsection (a)(2), is  
21      amended by striking out “paragraphs (2) and (3)” and  
22      inserting in lieu thereof “paragraphs (2), (3), and (4)”.

1 **SEC. 1004. USE OF FINANCIAL INCENTIVES PROVIDED AS**  
2 **PART OF ENERGY SAVINGS AND WATER CON-**  
3 **SERVATION ACTIVITIES.**

4 (a) ENERGY SAVINGS.—Section 2865 of title 10,  
5 United States Code, is amended—

6 (1) in subsection (b)—

7 (A) in paragraph (1), by striking out “and  
8 financial incentives described in subsection  
9 (d)(2)”;

10 (B) in paragraph (2), by striking out “sec-  
11 tion 2866(b)” both places it appears and insert-  
12 ing in lieu thereof “section 2866(a)(3)”;

13 (C) by adding at the end the following new  
14 paragraph:

15 “(3) Financial incentives received from gas or electric  
16 utilities under subsection (d)(2), and from utilities for  
17 management of water demand or water conservation under  
18 section 2866(a)(2) of this title, shall be credited to an ap-  
19 propriation designated by the Secretary of Defense.  
20 Amounts so credited shall be merged with the appropria-  
21 tion to which credited and shall be available for the same  
22 purposes and the same period as the appropriation with  
23 which merged.”; and

24 (2) in subsection (f), by adding at the end the  
25 following new sentence: “The Secretary shall also in-  
26 clude in each report the types and amount of finan-

7       “(b) USE OF FINANCIAL INCENTIVES AND WATER  
8 COST SAVINGS.—(1) Financial incentives received under  
9 subsection (a)(2) shall be used as provided in section  
10 2865(b)(3) of this title.

14 SEC. 1005. CONGRESSIONAL NOTIFICATION REQUIRE-  
15 MENTS REGARDING USE OF DEPARTMENT OF  
16 DEFENSE HOUSING FUNDS FOR INVEST-  
17 MENTS IN NONGOVERNMENTAL ENTITIES.

21 “(e) CONGRESSIONAL NOTIFICATION REQUIRED.—  
22 Amounts in the Department of Defense Family Housing  
23 Improvement Fund or the Department of Defense Military  
24 Unaccompanied Housing Improvement Fund may be used  
25 to make a cash investment under this section in a non-

1 governmental entity only after the end of the 30-day pe-  
 2 riod beginning on the date the Secretary of Defense sub-  
 3 mits written notice of, and justification for, the investment  
 4 to the appropriate committees of Congress.”.

## 5       **Subtitle B—Real Property And** 6       **Facilities Administration**

### 7       **SEC. 1011. INCREASE IN CEILING FOR MINOR LAND ACQUI-** 8       **SITION PROJECTS.**

9       (a) INCREASE.—Section 2672 of title 10, United  
 10 States Code, is amended by striking out “\$200,000” both  
 11 places it appears in subsection (a) and inserting in lieu  
 12 thereof “\$500,000”.

13       (b) CLERICAL AMENDMENTS.—(1) The section head-  
 14 ing for such section is amended to read as follows:

15       **“§ 2672. Acquisition: interests in land when cost is**  
 16       **not more than \$500,000”.**

17       (2) The table of sections at the beginning of chapter  
 18 159 of such title is amended by striking out the item relat-  
 19 ing to section 2672 and inserting in lieu thereof the follow-  
 20 ing new item:

“2672. Acquisition: interests in land when cost is not more than \$500,000.”.

### 21       **SEC. 1012. PERMANENT AUTHORITY REGARDING CONVEY-** 22       **ANCE OF UTILITY SYSTEMS.**

23       (a) IN GENERAL.—Chapter 159 of title 10, United  
 24 States Code, is amended by inserting after section 2687  
 25 the following new section:

1   **“§ 2688. Utility systems: conveyance authority**

2           “(a) CONVEYANCE AUTHORITY.—The Secretary of a  
3   military department may convey a utility system, or part  
4   of a utility system, under the jurisdiction of the Secretary  
5   to a municipal, private, regional, district, or cooperative  
6   utility company or other entity. The conveyance may con-  
7   sist of all right, title, and interest of the United States  
8   in the utility system or such lesser estate as the Secretary  
9   considers appropriate to serve the interests of the United  
10   States.

11          “(b) SELECTION OF CONVEYEE.—If more than one  
12   utility or entity referred to in subsection (a) notifies the  
13   Secretary concerned of an interest in a conveyance under  
14   such subsection, the Secretary shall carry out the convey-  
15   ance through the use of competitive procedures.

16          “(c) CONSIDERATION.—(1) The Secretary concerned  
17   shall require as consideration for a conveyance under sub-  
18   section (a) an amount equal to the fair market value (as  
19   determined by the Secretary) of the right, title, or interest  
20   of the United States conveyed. The consideration may  
21   take the form of—

22               “(A) a lump sum payment; or

23               “(B) a reduction in charges for utility services  
24   provided by the utility or entity concerned to the  
25   military installation at which the utility system is lo-  
26   cated.



1       “(2) If the utility services proposed to be provided  
2 as consideration under paragraph (1) are subject to regu-  
3 lation by a Federal or State agency, any reduction in the  
4 rate charged for the utility services shall be subject to es-  
5 tablishment or approval by that agency.

6       “(d) TREATMENT OF PAYMENTS.—(1) A lump sum  
7 payment received under subsection (c) shall be credited,  
8 at the election of the Secretary concerned—

9               “(A) to an appropriation of the military depart-  
10 ment concerned available for the procurement of the  
11 same utility services as are provided by the utility  
12 system conveyed under this section;

13              “(B) to an appropriation of the military depart-  
14 ment available for carrying out energy savings  
15 projects or water conservation projects; or

16              “(C) to an appropriation of the military depart-  
17 ment available for improvements to other utility sys-  
18 tems.

19       “(2) Amounts so credited shall be merged with funds  
20 in the appropriation to which credited and shall be avail-  
21 able for the same purposes, and subject to the same condi-  
22 tions and limitations, as the appropriation with which  
23 merged.

1       “(e) NOTICE-AND-WAIT REQUIREMENT.—The Sec-  
2 retary concerned may not make a conveyance under sub-  
3 section (a) until—

4               “(1) the Secretary submits to the Committee on  
5 Armed Services and the Committee on Appropria-  
6 tions of the Senate and the Committee on National  
7 Security and the Committee on Appropriations of  
8 the House of Representatives an economic analysis  
9 (based upon accepted life-cycle costing procedures  
10 approved by the Secretary of Defense) demonstrat-  
11 ing that—

12               “(A) the long-term economic benefit of the  
13 conveyance to the United States exceeds the  
14 long-term economic cost of the conveyance to  
15 the United States; and

16               “(B) the conveyance will reduce the long-  
17 term costs of the United States for utility serv-  
18 ices provided by the utility system concerned;  
19 and

20               “(2) a period of 21 days has elapsed after the  
21 date on which the economic analysis is received by  
22 the committees.

23       “(f) ADDITIONAL TERMS AND CONDITIONS.—The  
24 Secretary concerned may require such additional terms  
25 and conditions in connection with a conveyance under sub-

1 section (a) as the Secretary considers appropriate to pro-  
2 tect the interests of the United States.

3 “(g) UTILITY SYSTEM DEFINED.—(1) In this sec-  
4 tion, the term ‘utility system’ means any of the following:

5 “(A) A system for the generation and supply of  
6 electric power.

7 “(B) A system for the treatment or supply of  
8 water.

9 “(C) A system for the collection or treatment of  
10 wastewater.

11 “(D) A system for the generation or supply of  
12 steam, hot water, and chilled water.

13 “(E) A system for the supply of natural gas.

14 “(F) A system for the transmission of tele-  
15 communications.

16 “(2) The term ‘utility system’ includes the following:

17 “(A) Equipment, fixtures, structures, and other  
18 improvements utilized in connection with a system  
19 referred to in paragraph (1).

20 “(B) Easements and rights-of-ways associated  
21 with a system referred to in that paragraph.

22 “(h) LIMITATION.—This section shall not apply to  
23 projects constructed or operated by the Army Corps of En-  
24 gineers under its civil works authorities.”.

1 (b) CLERICAL AMENDMENT.—The table of sections  
 2 at the beginning of such chapter is amended by inserting  
 3 after the item relating to section 2687 the following new  
 4 item:

“2688. Utility systems: conveyance authority.”.

5 **SEC. 1013. ADMINISTRATIVE EXPENSES FOR CERTAIN REAL**  
 6 **PROPERTY TRANSACTIONS.**

7 (a) ACCEPTANCE AUTHORIZED.—Chapter 159 of  
 8 title 10, United States Code, is amended by adding at the  
 9 end the following new section:

10 **“§ 2695. Acceptance of funds to cover administrative**  
 11 **expenses relating to certain real property**  
 12 **transactions**

13 “(a) AUTHORITY TO ACCEPT.—In connection with a  
 14 real property transaction referred to in subsection (b) with  
 15 a non-Federal person or entity, the Secretary of a military  
 16 department may accept amounts provided by the person  
 17 or entity to cover administrative expenses incurred by the  
 18 Secretary in entering into the transaction.

19 “(b) COVERED TRANSACTIONS.—Subsection (a) ap-  
 20 plies to the following transactions:

21 “(1) The exchange of real property.

22 “(2) The grant of an easement over, in, or upon  
 23 real property of the United States.

24 “(3) The lease or license of real property of the  
 25 United States.

“(c) USE OF AMOUNTS COLLECTED.—Amounts collected under subsection (a) for administrative expenses shall be credited to the appropriation, fund, or account from which the expenses were paid. Amounts so credited shall be merged with funds in such appropriation, fund, or account and shall be available for the same purposes and subject to the same limitations as the funds with which merged.”.

9 (b) CLERICAL AMENDMENT.—The table of sections  
10 at the beginning of chapter 159 of such title is amended  
11 by adding at the end the following new item:

“2695. Acceptance of funds to cover administrative expenses relating to certain real property transactions.”.

12 SEC. 1014. SCREENING OF REAL PROPERTY TO BE CON-  
13 VEYED BY DEPARTMENT OF DEFENSE.

(a) REQUIREMENT.—(1) Chapter 159 of title 10, United States Code, is amended by inserting after section 2695, as added by section 1013, the following new section:

17 **“§ 2696. Screening of real property for further Fed-**  
18 **eral use before conveyance**

“(a) SCREENING REQUIREMENT.—The Secretary concerned may not convey real property that is authorized or required to be conveyed, whether for or without consideration, by any provision of law unless the Administrator of General Services has screened the property for further Federal use in accordance with the Federal Property and

1 Administrative Services Act of 1949 (40 U.S.C. 471 et  
2 seq.).

3 “(b) TIME FOR SCREENING.—(1) Before the end of  
4 the 30-day period beginning on the date of the enactment  
5 of a provision of law authorizing or requiring the convey-  
6 ance of a parcel of real property by the Secretary con-  
7 cerned, the Administrator of General Services shall com-  
8 plete the screening required by paragraph (1) with regard  
9 to the real property and notify the Secretary concerned  
10 of the results of the screening. The notice shall include—

11 “(A) the name of the Federal agency requesting  
12 transfer of the property;

13 “(B) the proposed use to be made of the prop-  
14 erty by the Federal agency; and

15 “(C) the fair market value of the property, in-  
16 cluding any improvements thereon, as estimated by  
17 the Administrator.

18 “(2) If the Administrator fails to complete the screen-  
19 ing and notify the Secretary concerned within such period,  
20 the Secretary concerned shall proceed with the conveyance  
21 of the real property as provided in the provision of law  
22 authorizing or requiring the conveyance.

23 “(c) NOTICE OF FURTHER FEDERAL USE.—If the  
24 Administrator of General Services notifies the Secretary  
25 concerned under subsection (b) that further Federal use

1 of a parcel of real property authorized or required to be  
2 conveyed by any provision of law is requested by a Federal  
3 agency, the Secretary concerned shall submit a copy of  
4 the notice to Congress.

5 “(d) CONGRESSIONAL DISAPPROVAL.—If the Sec-  
6 retary concerned submits a notice under subsection (c)  
7 with regard to a parcel of real property, the Secretary con-  
8 cerned may not proceed with the conveyance of the real  
9 property as provided in the provision of law authorizing  
10 or requiring the conveyance if Congress enacts a law re-  
11 scinding the conveyance authority or requirement before  
12 the end of the 180-day period beginning on the date on  
13 which the Secretary concerned submits the notice.

14 “(e) EXCEPTED CONVEYANCE AUTHORITIES.—The  
15 screening requirements of this section shall not apply to  
16 real property authorized or required to be conveyed under  
17 any of the following provisions of law:

18 “(1) Section 2687 of this title.

19 “(2) Title II of the Defense Authorization  
20 Amendments and Base Closure and Realignment  
21 Act (Public Law 100–526; 10 U.S.C. 2687 note).

22 “(3) The Defense Base Closure and Realignment  
23 Act of 1990 (part A of title XXIX of Public  
24 Law 101–510; 10 U.S.C. 2687 note).

1           “(4) Any provision of law authorizing the clo-  
 2           sure or realignment of a military installation that is  
 3           enacted after the date of enactment of the National  
 4           Defense Authorization Act for Fiscal Year 1998.

5           “(5) Title II of the Federal Property and Ad-  
 6           ministrative Services Act of 1949 (40 U.S.C. 481 et  
 7           seq.).

8           “(6) Any specific provision of law authorizing  
 9           or requiring the transfer of administrative jurisdic-  
 10          tion over a parcel of real property between Federal  
 11          agencies.”.

12          (2) The table of sections at the beginning of such  
 13          chapter is amended by inserting after the item relating  
 14          to section 2695, as added by section 1013, the following  
 15          new item:

          “2696. Screening of real property for further Federal use before conveyance.”.

16          (b) APPLICABILITY.—Section 2696 of title 10, United  
 17          States Code, as added by subsection (a) of this section,  
 18          shall apply with respect to any real property authorized  
 19          or required to be conveyed under a provision of law cov-  
 20          ered by such section that is enacted after December 31,  
 21          1997.

22          **SEC. 1015. DISPOSITION OF PROCEEDS OF SALE OF AIR**  
 23                               **FORCE PLANT NO. 78, BRIGHAM CITY, UTAH.**

24          Notwithstanding section 204(h)(2)(A) of the Federal  
 25          Property and Administrative Services Act of 1949 (40



1 U.S.C. 485(h)(2)(A)), the entire amount deposited by the  
2 Administrator of General Services in the special account  
3 in the Treasury (established under section 204(h)(2) of  
4 such Act) as a result of the sale of Air Force Plant No.  
5 78, Brigham City, Utah, shall be available, to the extent  
6 provided in appropriations Acts, to the Secretary of the  
7 Air Force for facility maintenance, facility repair, and en-  
8 vironmental restoration at other industrial plants of the  
9 Air Force.

10 **SEC. 1016. FIRE PROTECTION AND HAZARDOUS MATERIALS**  
11 **PROTECTION AT FORT MEADE, MARYLAND.**

12 (a) PLAN.—Not later than 120 days after the date  
13 of the enactment of this Act, the Secretary of the Army  
14 shall submit to the congressional defense committees a  
15 plan to address the requirements for fire protection serv-  
16 ices and hazardous materials protection services at Fort  
17 Meade, Maryland, including the National Security Agency  
18 at Fort Meade, as identified in the preparedness evalua-  
19 tion report of the Army Corps of Engineers regarding  
20 Fort Meade.

21 (b) ELEMENTS.—The plan shall include the follow-  
22 ing:

23 (1) A schedule for the implementation of the  
24 plan.

1           (2) A detailed list of funding options available  
2           to provide centrally located, modern facilities and  
3           equipment to meet current requirements for fire pro-  
4           tection services and hazardous materials protection  
5           services at Fort Meade.

6           **Subtitle C—Defense Base Closure**  
7                           **and Realignment**

8           **SEC. 1021. CONSIDERATION OF MILITARY INSTALLATIONS**  
9                           **AS SITES FOR NEW FEDERAL FACILITIES.**

10          (a) 1988 LAW.—Section 204(b)(5) of the Defense  
11          Authorization Amendments and Base Closure and Re-  
12          alignment Act (Public Law 100–526; 10 U.S.C. 2687  
13          note) is amended—

14               (1) in subparagraph (A), by striking out “sub-  
15               paragraph (B)” and inserting in lieu thereof “sub-  
16               paragraphs (B) and (C)”; and

17               (2) by adding at the end the following new sub-  
18               paragraph:

19               “(C)(i) Before acquiring non-Federal real property as  
20          the location for a new or replacement Federal facility of  
21          any type, the head of the Federal agency acquiring the  
22          property shall consult with the Secretary regarding the  
23          feasibility and cost advantages of using Federal property  
24          or facilities at a military installation closed or realigned  
25          or to be closed or realigned under this title as the location

1 for the new or replacement facility. In considering the  
2 availability and suitability of a specific military installa-  
3 tion, the Secretary and the head of the Federal agency  
4 involved shall obtain the concurrence of the redevelopment  
5 authority with respect to the installation and comply with  
6 the redevelopment plan for the installation.

7 “(ii) Not later than 30 days after acquiring non-Fed-  
8 eral real property as the location for a new or replacement  
9 Federal facility, the head of the Federal agency acquiring  
10 the property shall submit to Congress a report containing  
11 the results of the consultation under clause (i) and the  
12 reasons why military installations referred to in such  
13 clause that are located within the area to be served by  
14 the new or replacement Federal facility or within a 200-  
15 mile radius of the new or replacement facility, whichever  
16 area is greater, were considered to be unsuitable or un-  
17 available for the site of the new or replacement facility.

18 “(iii) This subparagraph shall apply during the pe-  
19 riod beginning on the date of the enactment of the Na-  
20 tional Defense Authorization Act for Fiscal Year 1998 and  
21 ending on July 31, 2001.”.

22 (b) 1990 LAW.—Section 2905(b)(5) of the Defense  
23 Base Closure and Realignment Act of 1990 (Public Law  
24 101–510; 10 U.S.C. 2687 note) is amended—

1           (1) in subparagraph (A), by striking out “sub-  
2       paragraph (B)” and inserting in lieu thereof “sub-  
3       paragraphs (B) and (C)”; and

4           (2) by adding at the end the following new sub-  
5       paragraph:

6       “(C)(i) Before acquiring non-Federal real property as  
7       the location for a new or replacement Federal facility of  
8       any type, the head of the Federal agency acquiring the  
9       property shall consult with the Secretary regarding the  
10      feasibility and cost advantages of using Federal property  
11      or facilities at a military installation closed or realigned  
12      or to be closed or realigned under this part as the location  
13      for the new or replacement facility. In considering the  
14      availability and suitability of a specific military installa-  
15      tion, the Secretary and the head of the Federal agency  
16      involved shall obtain the concurrence of the redevelopment  
17      authority with respect to the installation and comply with  
18      the redevelopment plan for the installation.

19      “(ii) Not later than 30 days after acquiring non-Fed-  
20      eral real property as the location for a new or replacement  
21      Federal facility, the head of the Federal agency acquiring  
22      the property shall submit to Congress a report containing  
23      the results of the consultation under clause (i) and the  
24      reasons why military installations referred to in such  
25      clause that are located within the area to be served by

1 the new or replacement Federal facility or within a 200-  
2 mile radius of the new or replacement facility, whichever  
3 area is greater, were considered to be unsuitable or un-  
4 available for the site of the new or replacement facility.

5 “(iii) This subparagraph shall apply during the pe-  
6 riod beginning on the date of the enactment of the Na-  
7 tional Defense Authorization Act for Fiscal Year 1998 and  
8 ending on July 31, 2001.”.

9 **SEC. 1022. ADJUSTMENT AND DIVERSIFICATION ASSIST-**  
10 **ANCE TO ENHANCE PERFORMANCE OF MILI-**  
11 **TARY FAMILY SUPPORT SERVICES BY PRI-**  
12 **VATE SECTOR SOURCES.**

13 Section 2391(b)(5) of title 10, United States Code,  
14 is amended by adding at the end the following new sub-  
15 paragraph:

16 “(C) The Secretary of Defense may also make grants,  
17 conclude cooperative agreements, and supplement other  
18 Federal funds in order to assist a State or local govern-  
19 ment in enhancing the capabilities of the government to  
20 support efforts of the Department of Defense to privatize,  
21 contract for, or diversify the performance of military fam-  
22 ily support services in cases in which the capability of the  
23 Department to provide such services is adversely affected  
24 by an action described in paragraph (1).”.

1 **SEC. 1023. SECURITY, FIRE PROTECTION, AND OTHER**  
2 **SERVICES AT PROPERTY FORMERLY ASSOCI-**  
3 **ATED WITH RED RIVER ARMY DEPOT, TEXAS.**

4 (a) **AUTHORITY TO ENTER INTO AGREEMENT.—**(1)  
5 The Secretary of the Army may enter into an agreement  
6 with the local redevelopment authority for Red River Army  
7 Depot, Texas, under which agreement the Secretary pro-  
8 vides security services, fire protection services, or hazard-  
9 ous material response services for the authority with re-  
10 spect to the property at the depot that is under the juris-  
11 diction of the authority as a result of the realignment of  
12 the depot under the base closure laws.

13 (2) The Secretary may not enter into the agreement  
14 unless the Secretary determines that the provision of serv-  
15 ices under the agreement is in the best interests of the  
16 United States.

17 (b) **REIMBURSEMENT.—**The agreement under sub-  
18 section (a) shall provide for reimbursing the Secretary for  
19 the services provided by the Secretary under the agree-  
20 ment.

21 (c) **TREATMENT OF REIMBURSEMENT.—**Any  
22 amounts received by the Secretary under subsection (b)  
23 as reimbursement for services provided under the agree-  
24 ment entered into under subsection (a) shall be credited  
25 to the appropriations providing funds for the services.  
26 Amounts so credited shall be merged with the appropria-

1 tions to which credited and shall be available for the pur-  
2 poses, and subject to the conditions and limitations, for  
3 which such appropriations are available.

4 **SEC. 1024. REPORT ON CLOSURE AND REALIGNMENT OF**  
5 **MILITARY INSTALLATIONS.**

6 (a) REPORT.—(1) The Secretary of Defense shall  
7 prepare and submit to the congressional defense commit-  
8 tees a report on the costs and savings attributable to the  
9 rounds of base closures and realignments conducted under  
10 the base closure laws and on the need, if any, for addi-  
11 tional rounds of base closures and realignments.

12 (2) For purposes of this section, the term “base clo-  
13 sure laws” means—

14 (A) Title II of the Defense Authorization  
15 Amendments and Base Closure and Realignment  
16 Act (Public Law 100–526; 10 U.S.C. 2687 note);  
17 and

18 (B) the Defense Base Closure and Realignment  
19 Act of 1990 (part A of title XXIX of Public Law  
20 101–510; 10 U.S.C. 2687 note).

21 (b) ELEMENTS.—The report under subsection (a)  
22 shall include the following:

23 (1) A statement, using data consistent with  
24 budget data, of the actual costs and savings (to the  
25 extent available for prior fiscal years) and the esti-

1 mated costs and savings (in the case of future fiscal  
2 years) attributable to the closure and realignment of  
3 military installations as a result of the base closure  
4 laws.

5 (2) A comparison, set forth by base closure  
6 round, of the actual costs and savings stated under  
7 paragraph (1) to the estimates of costs and savings  
8 submitted to the Defense Base Closure and Realign-  
9 ment Commission as part of the base closure proc-  
10 ess.

11 (3) A comparison, set forth by base closure  
12 round, of the actual costs and savings stated under  
13 paragraph (1) to the annual estimates of costs and  
14 savings previously submitted to Congress.

15 (4) A list of each military installation at which  
16 there is authorized to be employed 300 or more civil-  
17 ian personnel, set forth by Armed Force.

18 (5) An estimate of current excess capacity at  
19 military installations, set forth—

20 (A) as a percentage of the total capacity of  
21 the military installations of the Armed Forces  
22 with respect to all military installations of the  
23 Armed Forces;

24 (B) as a percentage of the total capacity of  
25 the military installations of each Armed Force



1 with respect to the military installations of such  
2 Armed Force; and

3 (C) as a percentage of the total capacity of  
4 a type of military installations with respect to  
5 military installations of such type.

6 (6) An assessment of the effect of the previous  
7 base closure rounds on military capabilities and the  
8 ability of the Armed Forces to fulfill the National  
9 Military Strategy.

10 (7) A description of the types of military instal-  
11 lations that would be recommended for closure or re-  
12 alignment in the event of one or more additional  
13 base closure rounds, set forth by Armed Force.

14 (8) The criteria to be used by the Secretary in  
15 evaluating military installations for closure or re-  
16 alignment in such event.

17 (9) The methodologies to be used by the Sec-  
18 retary in identifying military installations for closure  
19 or realignment in such event.

20 (10) An estimate of the costs and savings that  
21 the Secretary believes will be achieved as a result of  
22 the closure or realignment of military installations  
23 in such event, set forth by Armed Force and by  
24 year.

1           (11) An assessment of whether the costs and  
2           estimated savings from one or more future rounds of  
3           base closures and realignments, currently unauthor-  
4           ized, are already contained in the current Future  
5           Years Defense Plan, and, if not, whether the Sec-  
6           retary will recommend modifications in future de-  
7           fense spending in order to accommodate such costs  
8           and savings.

9           (c) METHOD OF PRESENTING INFORMATION.—The  
10          statement and comparison required by paragraphs (1) and  
11          (2) of subsection (b) shall be set forth by Armed Force,  
12          type of facility, and fiscal year, and include the following:

13               (1) Operation and maintenance costs, including  
14               costs associated with expanded operations and sup-  
15               port, maintenance of property, administrative sup-  
16               port, and allowances for housing at military installa-  
17               tions to which functions are transferred as a result  
18               of the closure or realignment of other installations.

19               (2) Military construction costs, including costs  
20               associated with rehabilitating, expanding, and con-  
21               structing facilities to receive personnel and equip-  
22               ment that are transferred to military installations as  
23               a result of the closure or realignment of other instal-  
24               lations.

1           (3) Environmental cleanup costs, including  
2 costs associated with assessments and restoration.

3           (4) Economic assistance costs, including—

4               (A) expenditures on Department of De-  
5 fense demonstration projects relating to eco-  
6 nomic assistance;

7               (B) expenditures by the Office of Eco-  
8 nomic Adjustment; and

9               (C) to the extent available, expenditures by  
10 the Economic Development Administration, the  
11 Federal Aviation Administration, and the De-  
12 partment of Labor relating to economic assist-  
13 ance.

14           (5) To the extent information is available, un-  
15 employment compensation costs, early retirement  
16 benefits (including benefits paid under section 5597  
17 of title 5, United States Code), and worker retrain-  
18 ing expenses under the Priority Placement Program,  
19 the Job Training Partnership Act, and any other  
20 Federally-funded job training program.

21           (6) Costs associated with military health care.

22           (7) Savings attributable to changes in military  
23 force structure.

1           (8) Savings due to lower support costs with re-  
2       spect to military installations that are closed or re-  
3       aligned.

4       (d) DEADLINE.—The Secretary shall submit the re-  
5       port under subsection (a) not later than the date on which  
6       the President submits to Congress the budget for fiscal  
7       year 2000 under section 1105(a) of title 31, United States  
8       Code.

9       (e) REVIEW.—The Congressional Budget Office and  
10      the Comptroller General shall conduct a review of the re-  
11      port prepared under subsection (a).

12      (f) PROHIBITION ON USE OF FUNDS.—Except as  
13      necessary to prepare the report required subsection (a),  
14      no funds authorized to be appropriated or otherwise made  
15      available to the Department of Defense by this Act or any  
16      other Act may be used for the purposes of planning for,  
17      or collecting data in anticipation of, an authorization pro-  
18      viding for procedures under which the closure and realign-  
19      ment of military installations may be accomplished, until  
20      the later of—

21           (1) the date on which the Secretary submits the  
22      report required by subsection (a); and

23           (2) the date on which the Congressional Budget  
24      Office and the Comptroller General complete a re-  
25      view of the report under subsection (e).

1 (g) SENSE OF CONGRESS.—It is the sense of the  
2 Congress that—

3 (1) the Secretary should develop a system hav-  
4 ing the capacity to quantify the actual costs and sav-  
5 ings attributable to the closure and realignment of  
6 military installations pursuant to the base closure  
7 process; and

8 (2) the Secretary should develop the system in  
9 expedient fashion, so that the system may be used  
10 to quantify costs and savings attributable to the  
11 1995 base closure round.

12 **SEC. 1025. SENSE OF SENATE REGARDING UTILIZATION OF**  
13 **SAVINGS DERIVED FROM BASE CLOSURE**  
14 **PROCESS.**

15 (a) FINDINGS.—The Senate makes the following  
16 findings:

17 (1) Since 1988, the Department of Defense has  
18 conducted four rounds of closures and realignments  
19 of military installations in the United States, result-  
20 ing in the closure of 97 installations.

21 (2) The cost of carrying out the closure or re-  
22 alignment of installations covered by such rounds is  
23 estimated by the Secretary of Defense to be  
24 \$23,000,000,000.

1           (3) The savings expected as a result of the clo-  
2           sure or realignment of such installations are esti-  
3           mated by the Secretary to be \$10,300,000,000  
4           through fiscal year 1996 and \$36,600,000,000  
5           through 2001.

6           (4) In addition to such savings, the Secretary  
7           has estimated recurring savings as a result of the  
8           closure or realignment of such installations of ap-  
9           proximately \$5,600,000,000 annually.

10          (5) The fiscal year 1997 budget request for the  
11          Department assumed a savings of between  
12          \$2,000,000,000 and \$3,000,000,000 as a result of  
13          the closure or realignment of such installations,  
14          which savings were to be dedicated to the mod-  
15          ernization of the Armed Forces. The savings as-  
16          sumed in the budget request were not realized.

17          (6) The fiscal year 1998 budget request for the  
18          Department assumes a savings of \$5,000,000,000 as  
19          a result of the closure or realignment of such instal-  
20          lations, which savings are to be dedicated to the  
21          modernization of the Armed Forces.

22          (b) SENSE OF SENATE ON USE OF SAVINGS RESULT-  
23          ING FROM BASE CLOSURE PROCESS.—It is the sense of  
24          the Senate that the savings identified in the report under  
25          section 2824 should be made available to the Department

1 of Defense solely for purposes of the modernization of new  
2 weapon systems (including research, development, test,  
3 and evaluation relating to such modernization) and should  
4 be used by the Department solely for such purposes.

5 **SEC. 1026. PROHIBITION AGAINST CERTAIN CONVEYANCES**  
6 **OF PROPERTY AT NAVAL STATION, LONG**  
7 **BEACH, CALIFORNIA.**

8 (a) PROHIBITION AGAINST DIRECT CONVEYANCE.—  
9 In disposing of real property in connection with the closure  
10 of Naval Station, Long Beach, California, under the De-  
11 fense Base Closure and Realignment Act of 1990 (part  
12 A of title XXIX of Public Law 101–510; 10 U.S.C. 2687  
13 note), the Secretary of the Navy may not convey any por-  
14 tion of the property (by sale, lease, or other method) to  
15 the China Ocean Shipping Company or any legal successor  
16 or subsidiary of that Company (in this section referred  
17 to as “COSCO”).

18 (b) PROHIBITION AGAINST INDIRECT CONVEY-  
19 ANCE.—The Secretary of the Navy shall impose as a con-  
20 dition on each conveyance of real property located at  
21 Naval Station, Long Beach, California, the requirement  
22 that the property may not be subsequently conveyed (by  
23 sale, lease, or other method) to COSCO.

24 (c) REVERSIONARY INTEREST.—If the Secretary of  
25 the Navy determines at any time that real property located

1 at Naval Station, Long Beach, California, and conveyed  
2 under the Defense Base Closure and Realignment Act of  
3 1990 has been conveyed to COSCO in violation of sub-  
4 section (b) or is otherwise being used by COSCO in viola-  
5 tion of such subsection, all right, title, and interest in and  
6 to the property shall revert to the United States, and the  
7 United States shall have immediate right of entry thereon.

8 (d) NATIONAL SECURITY REPORT AND DETERMINA-  
9 TION.—Not later than 30 days after the date of the enact-  
10 ment of this Act, the Secretary of Defense and the Direc-  
11 tor of the Federal Bureau of Investigation shall separately  
12 submit to the President and the congressional defense  
13 committees a report regarding the potential national secu-  
14 rity implications of conveying property described in sub-  
15 section (a) to COSCO. Each report shall specifically iden-  
16 tify any increased risk of espionage, arms smuggling, or  
17 other illegal activities that could result from a conveyance  
18 to COSCO and recommend appropriate action to address  
19 any such risk.

20 (e) WAIVER AUTHORITY.—(1) The President may  
21 waive the prohibitions contained in this section with re-  
22 spect to a conveyance of property described in subsection  
23 (a) to COSCO if the President determines that—



1 (A) appropriate action has been taken to ad-  
 2 dress any increased national security risk identified  
 3 in the reports required by subsection (d); and

4 (B) the conveyance would not adversely affect  
 5 national security or significantly increase the  
 6 counter-intelligence burden on the intelligence com-  
 7 munity.

8 (2) Any waiver under paragraph (1) shall take effect  
 9 30 days after the date on which the President notifies the  
 10 Speaker of the House of Representatives and the Presi-  
 11 dent of the Senate of the President's determination to use  
 12 the waiver authority provided under this subsection.

## 13 **Subtitle D—Land Conveyances**

### 14 **PART I—ARMY CONVEYANCES**

#### 15 **SEC. 1031. LAND CONVEYANCE, ARMY RESERVE CENTER,** 16 **GREENSBORO, ALABAMA.**

17 (a) CONVEYANCE AUTHORIZED.—The Secretary of  
 18 the Army may convey, without consideration, to Hale  
 19 County, Alabama, all right, title, and interest of the Unit-  
 20 ed States in and to a parcel of real property consisting  
 21 of approximately 5.17 acres and located at the Army Re-  
 22 serve Center, Greensboro, Alabama, that was conveyed by  
 23 Hale County, Alabama, to the United States by warranty  
 24 deed dated September 12, 1988.

1 (b) DESCRIPTION OF PROPERTY.—The exact acreage  
2 and legal description of the property to be conveyed under  
3 subsection (a) shall be as described in the deed referred  
4 to in that subsection.

5 (c) ADDITIONAL TERMS AND CONDITIONS.—The  
6 Secretary may require such additional terms and condi-  
7 tions in connection with the conveyance under subsection  
8 (a) as the Secretary considers appropriate to protect the  
9 interests of the United States.

10 **SEC. 1032. LAND CONVEYANCE, JAMES T. COKER ARMY RE-**  
11 **SERVE CENTER, DURANT, OKLAHOMA.**

12 (a) CONVEYANCE AUTHORIZED.—The Secretary of  
13 the Army may convey, without consideration, to Big Five  
14 Community Services, Incorporated, a nonprofit organiza-  
15 tion operating in Durant, Oklahoma, all right, title, and  
16 interest of the United States in and to a parcel of real  
17 property located at 1500 North First Street in Durant,  
18 Oklahoma, and containing the James T. Coker Army Re-  
19 serve Center, if the Secretary determines that the Reserve  
20 Center is excess to the needs of the Armed Forces.

21 (b) CONDITION OF CONVEYANCE.—The conveyance  
22 authorized under subsection (a) shall be subject to the  
23 condition that Big Five Community Services, Incor-  
24 porated, retain the conveyed property for educational pur-  
25 poses.

1       (c) REVERSION.—If the Secretary determines at any  
2 time that the real property conveyed under subsection (a)  
3 is not being used for the purpose specified in subsection  
4 (b), all right, title, and interest in and to the real property,  
5 including any improvements thereon, shall revert to the  
6 United States, and the United States shall have the right  
7 of immediate entry thereon.

8       (d) DESCRIPTION OF PROPERTY.—The exact acreage  
9 and legal description of the real property to be conveyed  
10 under subsection (a) shall be determined by a survey satis-  
11 factory to the Secretary. The cost of the survey shall be  
12 borne by Big Five Community Services, Incorporated.

13       (e) ADDITIONAL TERMS AND CONDITIONS.—The  
14 Secretary may require such additional terms and condi-  
15 tions in connection with the conveyance under subsection  
16 (a) as the Secretary considers appropriate to protect the  
17 interests of the United States.

18 **SEC. 1033. LAND CONVEYANCE, GIBSON ARMY RESERVE**  
19 **CENTER, CHICAGO, ILLINOIS.**

20       (a) CONVEYANCE AUTHORIZED.—The Secretary of  
21 the Army may convey, without consideration, to the  
22 Lawndale Business and Local Development Corporation  
23 (in this section referred to as the “Corporation”), a non-  
24 profit organization organized in the State of Illinois, all  
25 right, title, and interest of the United States in and to

1 a parcel of real property, including improvements thereon,  
2 that is located at 4454 West Cermak Road in Chicago,  
3 Illinois, and contains the Gibson Army Reserve Center.

4 (b) CONDITION OF CONVEYANCE.—The conveyance  
5 under subsection (a) shall be subject to the condition that  
6 the Corporation—

7 (1) use the conveyed property, directly or  
8 through an agreement with a public or private en-  
9 tity, for economic redevelopment purposes; or

10 (2) convey the property to an appropriate public  
11 or private entity for use for such purposes.

12 (c) REVERSION.—If the Secretary determines at any  
13 time that the real property conveyed under subsection (a)  
14 is not being used for economic redevelopment purposes,  
15 as required by subsection (b), all right, title, and interest  
16 in and to the property, including any improvements there-  
17 on, shall revert to the United States, and the United  
18 States shall have the right of immediate entry onto the  
19 property.

20 (d) DESCRIPTION OF PROPERTY.—The exact acreage  
21 and legal description of the real property to be conveyed  
22 under subsection (a) shall be determined by a survey satis-  
23 factory to the Secretary. The cost of the survey shall be  
24 borne by the Corporation.

1       (e) **ADDITIONAL TERMS AND CONDITIONS.**—The  
2 Secretary may require such additional terms and condi-  
3 tions in connection with the conveyance under subsection  
4 (a) as the Secretary considers appropriate to protect the  
5 interests of the United States.

6 **SEC. 1034. LAND CONVEYANCE, FORT A. P. HILL, VIRGINIA.**

7       (a) **CONVEYANCE AUTHORIZED.**—The Secretary of  
8 the Army may convey to Caroline County, Virginia (in this  
9 section referred to as the “County”), all right, title, and  
10 interest of the United States in and to a parcel of unim-  
11 proved real property consisting of approximately 10 acres  
12 located at Fort A. P. Hill, Virginia. The purpose of the  
13 conveyance is to permit the County to establish a solid  
14 waste transfer and recycling facility on the property.

15       (b) **CONSIDERATION.**—As consideration for the con-  
16 veyance under subsection (a), the County shall permit the  
17 Army, at no cost to the Army, to dispose of not less than  
18 1,800 tons of solid waste annually at the facility estab-  
19 lished on the conveyed property. The obligation of the  
20 County to accept solid waste under this subsection shall  
21 not commence until after the solid waste transfer and recy-  
22 cling facility on the conveyed property becomes oper-  
23 ational, and the establishment of a solid waste collection  
24 and transfer site on the .36-acre parcel described in sub-

1 section (d)(2) shall not be construed to impose the obliga-  
2 tion.

3 (c) DISCLAIMER.—The United States shall not be re-  
4 sponsible for the provision or cost of utilities or any other  
5 improvements necessary to carry out the conveyance under  
6 subsection (a) or to establish or operate the solid waste  
7 transfer and recycling facility intended for the property.

8 (d) REVERSION.—(1) Except as provided in para-  
9 graph (2), if the Secretary determines that a solid waste  
10 transfer and recycling facility is not operational, before  
11 December 31, 1999, on the real property conveyed under  
12 subsection (a), all right, title, and interest in and to such  
13 real property, including any improvements thereon, shall  
14 revert to the United States, and the United States shall  
15 have the right of immediate entry thereon.

16 (2) Paragraph (1) shall not apply with respect to a  
17 parcel of approximately .36 acres of the approximately 10-  
18 acre parcel to be conveyed under subsection (a), which is  
19 included in the larger conveyance to permit the County  
20 to establish a solid waste collection and transfer site for  
21 residential waste.

22 (e) ADDITIONAL TERMS AND CONDITIONS.—The  
23 Secretary may require such additional terms and condi-  
24 tions in connection with the conveyance under subsection

1 (a) as the Secretary considers appropriate to protect the  
2 interests of the United States.

3 **SEC. 1035. LAND CONVEYANCES, FORT DIX, NEW JERSEY.**

4 (a) CONVEYANCES AUTHORIZED.—(1) The Secretary  
5 of the Army may convey, without consideration, to the  
6 Borough of Wrightstown, New Jersey (in this section re-  
7 ferred to as the “Borough”), all right, title, and interest  
8 of the United States in and to a parcel of real property  
9 (including improvements thereon) consisting of approxi-  
10 mately 39.69 acres located at Fort Dix, New Jersey, for  
11 the purpose of permitting the Borough to develop the par-  
12 cel for economic purposes.

13 (2) The Secretary may convey, without consideration,  
14 to the New Hanover Board of Education (in this section  
15 referred to as the “Board”), all right, title, and interest  
16 of the United States in and to an additional parcel of real  
17 property (including improvements thereon) at Fort Dix  
18 consisting of approximately five acres for the purpose of  
19 permitting the Board to develop the parcel for educational  
20 purposes.

21 (b) CONDITIONS OF CONVEYANCE.—(1) The convey-  
22 ance under subsection (a)(1) shall be subject to the condi-  
23 tion that the Borough—

1           (A) use the conveyed property, directly or  
2           through an agreement with a public or private en-  
3           tity, for economic development purposes; or

4           (B) convey the property to an appropriate pub-  
5           lic or private entity for use for such purposes.

6           (2) The conveyance under subsection (a)(2) shall be  
7           subject to the condition that Board develop and use the  
8           conveyed property for educational purposes.

9           (c) REVERSION.—(1) If the Secretary determines at  
10          any time that the real property conveyed under subsection  
11          (a)(1) is not being used for economic development pur-  
12          poses, as required by subsection (b)(1), all right, title, and  
13          interest in and to the property conveyed under subsection  
14          (a)(1), including any improvements thereon, shall revert  
15          to the United States, and the United States shall have  
16          the right of immediate entry thereon.

17          (2) If the Secretary determines at any time that the  
18          real property conveyed under subsection (a)(2) is not  
19          being used for educational purposes, as required by sub-  
20          section (b)(2), all right, title, and interest in and to the  
21          property conveyed under subsection (a)(2), including any  
22          improvements thereon, shall revert to the United States,  
23          and the United States shall have the right of immediate  
24          entry thereon.



1 (d) DESCRIPTION OF PROPERTY.—The exact acreage  
2 and legal description of the real property to be conveyed  
3 under subsection (a) shall be determined by surveys satis-  
4 factory to the Secretary. The cost of the survey in connec-  
5 tion with the conveyance under subsection (a)(1) shall be  
6 borne by the Borough, and the cost of the survey in con-  
7 nection with the conveyance under subsection (a)(2) shall  
8 be borne by the Board.

9 (e) ADDITIONAL TERMS AND CONDITIONS.—The  
10 Secretary may require such additional terms and condi-  
11 tions in connection with the conveyances under subsection  
12 (a) as the Secretary considers appropriate to protect the  
13 interests of the United States.

14 **SEC. 1036. LAND CONVEYANCES, FORT BRAGG, NORTH**  
15 **CAROLINA.**

16 (a) CONVEYANCES AUTHORIZED.—(1) The Secretary  
17 of the Army may convey, without consideration, to the  
18 Town of Spring Lake, North Carolina (in this section re-  
19 ferred to as the “Town”), all right, title, and interest of  
20 the United States in and to a parcel of unimproved real  
21 property consisting of approximately 50 acres located at  
22 Fort Bragg, North Carolina.

23 (2) The Secretary may convey, without consideration,  
24 to Harnett County, North Carolina (in this section re-  
25 ferred to as the “County”), all right, title, and interest

1 of the United States in and to a parcel of real property  
2 (including improvements thereon), known as Tract No.  
3 404–2, consisting of approximately 157 acres located at  
4 Fort Bragg.

5 (3) The Secretary may convey, at fair market value,  
6 to the County all right, title, and interest of the United  
7 States in and to a parcel of real property (including im-  
8 provements thereon), known as Track 404–1, consisting  
9 of approximately 137 acres located at Fort Bragg.

10 (b) CONDITIONS OF CONVEYANCE.—(1) The convey-  
11 ance under subsection (a)(1) shall be subject to the condi-  
12 tion that the Town use the conveyed property for access  
13 to a waste treatment facility and for economic develop-  
14 ment purposes.

15 (2) The conveyance under subsection (a)(2) shall be  
16 subject to the condition that County develop and use the  
17 conveyed property for educational purposes.

18 (c) REVERSION.—(1) If the Secretary determines at  
19 any time that the real property conveyed under subsection  
20 (a)(1) is not being used in accordance with subsection  
21 (b)(1), all right, title, and interest in and to the property  
22 conveyed under subsection (a)(1), including any improve-  
23 ments thereon, shall revert to the United States, and the  
24 United States shall have the right of immediate entry  
25 thereon.

1       (2) If the Secretary determines at any time that the  
2 real property conveyed under subsection (a)(2) is not  
3 being used in accordance with subsection (b)(2), all right,  
4 title, and interest in and to the property conveyed under  
5 subsection (a)(2), including any improvements thereon,  
6 shall revert to the United States, and the United States  
7 shall have the right of immediate entry thereon.

8       (d) DESCRIPTION OF PROPERTY.—The exact acreage  
9 and legal description of the real property to be conveyed  
10 under subsection (a) shall be determined by surveys satis-  
11 factory to the Secretary. The cost of the survey in connec-  
12 tion with the conveyance under subsection (a)(1) shall be  
13 borne by the Town, and the cost of the survey in connec-  
14 tion with the conveyances under paragraphs (2) and (3)  
15 of subsection (a) shall be borne by the County.

16       (e) ADDITIONAL TERMS AND CONDITIONS.—The  
17 Secretary may require such additional terms and condi-  
18 tions in connection with the conveyances under subsection  
19 (a) as the Secretary considers appropriate to protect the  
20 interests of the United States.

21 **SEC. 1037. LAND CONVEYANCE, HAWTHORNE ARMY AMMU-**  
22 **NITION DEPOT, MINERAL COUNTY, NEVADA.**

23       (a) CONVEYANCE AUTHORIZED.—The Secretary of  
24 the Army may convey, without consideration, to Mineral  
25 County, Nevada (in this section referred to as the “Coun-

ty”), all right, title, and interest of the United States in and to a parcel of excess real property, including improvements thereon, consisting of approximately 33.1 acres located at Hawthorne Army Ammunition Depot, Mineral County, Nevada, and commonly referred to as the Schweer Drive Housing Area, for the purpose of permitting the County to develop the parcel for economic purposes.

(b) CONDITIONS OF CONVEYANCE.—The conveyance authorized by subsection (a) shall be subject to the following conditions:

(1) That the County accept the conveyed property subject to such easements and rights of way in favor of the United States as the Secretary considers appropriate.

(2) That the County, if the County sells any portion of the property conveyed under subsection (a) before the end of the 10-year period beginning on the date of enactment of this Act, pay to the United States an amount equal to the lesser of—

(A) the amount of sale of the property sold; or

(B) the fair market value of the property sold as determined without taking into account any improvements to such property by the County.

1 (c) DESCRIPTION OF PROPERTY.—The exact acreage  
 2 and legal description of the real property to be conveyed  
 3 under subsection (a), and of any easement or right of way  
 4 granted under subsection (b)(1), shall be determined by  
 5 a survey satisfactory to the Secretary. The cost of the sur-  
 6 vey shall be borne by the County.

7 (d) ADDITIONAL TERMS AND CONDITIONS.—The  
 8 Secretary may require such additional terms and condi-  
 9 tions in connection with the conveyance under subsection  
 10 (a), and any easement or right of way granted under sub-  
 11 section (b)(1), as the Secretary considers appropriate to  
 12 protect the interests of the United States.

13 **SEC. 1038. EXPANSION OF LAND CONVEYANCE AUTHORITY,**  
 14 **INDIANA ARMY AMMUNITION PLANT,**  
 15 **CHARLESTOWN, INDIANA.**

16 (a) ADDITIONAL CONVEYANCE.—Subsection (a) of  
 17 section 2858 of the National Defense Authorization Act  
 18 for Fiscal Year 1996 (Public Law 104–106; 110 Stat.  
 19 571) is amended—

20 (1) by inserting “(1)” before “The Secretary of  
 21 the Army”; and

22 (2) by adding at the end the following new  
 23 paragraph:

24 “(2) The Secretary may also convey to the State,  
 25 without consideration, an additional parcel of real prop-

erty at the Indiana Army Ammunition Plant consisting of approximately 500 acres located along the Ohio River.”.

(b) CONFORMING AMENDMENTS.—Such section is further amended by striking out “conveyance” both places it appears in subsections (b) and (d) and inserting in lieu thereof “conveyances”.

**SEC. 1039. MODIFICATION OF LAND CONVEYANCE,  
LOMPOC, CALIFORNIA.**

(a) CHANGE IN AUTHORIZED USES OF LAND.—Section 834(b)(1) of the Military Construction Authorization Act, 1985 (Public Law 98–407; 98 Stat. 1526), is amended by striking out subparagraphs (A) and (B) and inserting in lieu thereof the following new subparagraphs:

“(A) for educational and recreational purposes;

“(B) for open space; or”.

(b) CONFORMING DEED CHANGES.—With respect to the land conveyance made pursuant to section 834 of the Military Construction Authorization Act, 1985, the Secretary of the Army shall execute and file in the appropriate office or offices an amended deed or other appropriate instrument effectuating the changes to the authorized uses of the conveyed property resulting from the amendment made by subsection (a).

1 **SEC. 1040. MODIFICATION OF LAND CONVEYANCE, ROCKY**  
2 **MOUNTAIN ARSENAL, COLORADO.**

3 Section 5(c)(1) of Public Law 102–402 (106 Stat.  
4 1966; 16 U.S.C. 668dd note) is amended by striking out  
5 the second sentence and inserting in lieu thereof the fol-  
6 lowing new sentence: “The Administrator shall convey the  
7 transferred property to Commerce City, Colorado, for con-  
8 sideration in an amount equal to the fair market value  
9 of the property (as determined jointly by the Adminis-  
10 trator and the City).”.

11 **SEC. 1041. CORRECTION OF LAND CONVEYANCE AUTHOR-**  
12 **ITY, ARMY RESERVE CENTER, ANDERSON,**  
13 **SOUTH CAROLINA.**

14 (a) CORRECTION OF CONVEYEE.—Subsection (a) of  
15 section 2824 of the Military Construction Authorization  
16 Act for Fiscal Year 1997 (division B of Public Law 104–  
17 201; 110 Stat. 2793) is amended by striking out “County  
18 of Anderson, South Carolina (in this section referred to  
19 as the ‘County’)” and inserting in lieu thereof “Board of  
20 Education, Anderson County, South Carolina (in this sec-  
21 tion referred to as the ‘Board’)”.

22 (b) CONFORMING AMENDMENTS.—Subsections (b)  
23 and (c) of such section are each amended by striking out  
24 “the County” and inserting in lieu thereof “the Board”.

**PART II—NAVY CONVEYANCES**

**SEC. 1051. LAND CONVEYANCE, TOPSHAM ANNEX, NAVAL  
AIR STATION, BRUNSWICK, MAINE.**

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy may convey, without consideration, to the Maine School Administrative District No. 75, Topsham, Maine (in this section referred to as the “District”), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 40 acres located at the Topsham Annex, Naval Air Station, Brunswick, Maine.

(b) CONDITION OF CONVEYANCE.—The conveyance under subsection (a) shall be subject to the condition that the District use the conveyed property for educational purposes.

(c) REVERSION.—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used for the purpose specified in subsection (b), all right, title, and interest in and to the property, including any improvements thereon, shall revert to the United States, and the United States shall have the right of immediate entry thereon.

(d) INTERIM LEASE.—(1) Until such time as the real property described in subsection (a) is conveyed by deed, the Secretary may lease the property, together with the improvements thereon, to the District.



1       (2) As consideration for the lease under this sub-  
 2 section, the District shall provide such security services  
 3 for the property covered by the lease, and carry out such  
 4 maintenance work with respect to the property, as the Sec-  
 5 retary shall specify in the lease.

6       (e) DESCRIPTION OF PROPERTY.—The exact acreage  
 7 and legal description of the property to be conveyed under  
 8 subsection (a) shall be determined by a survey satisfactory  
 9 to the Secretary. The cost of the survey shall be borne  
 10 by the District.

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

17 **SEC. 1052. LAND CONVEYANCE, NAVAL WEAPONS INDUS-**  
 18 **TRIAL RESERVE PLANT NO. 464, OYSTER BAY,**  
 19 **NEW YORK.**

20       (a) CONVEYANCE AUTHORIZED.—(1) The Secretary  
 21 of the Navy may convey, without consideration, to the  
 22 County of Nassau, New York (in this section referred to  
 23 as the “County”), all right, title, and interest of the Unit-  
 24 ed States in and to parcels of real property consisting of  
 25 approximately 110 acres and comprising the Naval Weap-

1 ons Industrial Reserve Plant No. 464, Oyster Bay, New  
2 York.

3 (2)(A) As part of the conveyance authorized in para-  
4 graph (1), the Secretary may convey to the County such  
5 improvements, equipment, fixtures, and other personal  
6 property (including special tooling equipment and special  
7 test equipment) located on the parcels as the Secretary  
8 determines to be not required by the Navy for other pur-  
9 poses.

10 (B) The Secretary may permit the County to review  
11 and inspect the improvements, equipment, fixtures, and  
12 other personal property located on the parcels for purposes  
13 of the conveyance authorized by this paragraph.

14 (b) CONDITION OF CONVEYANCE.—The conveyance  
15 of the parcels authorized in subsection (a) shall be subject  
16 to the condition that the County—

17 (1) use the parcels, directly or through an  
18 agreement with a public or private entity, for eco-  
19 nomic redevelopment purposes or such other public  
20 purposes as the County determines appropriate; or

21 (2) convey the parcels to an appropriate public  
22 or private entity for use for such purposes.

23 (c) REVERSION.—If, during the five-year period be-  
24 ginning on the date the Secretary makes the conveyance  
25 authorized under subsection (a), the Secretary determines

1 that the conveyed real property is not being used for a  
2 purpose specified in subsection (b), all right, title, and in-  
3 terest in and to the property, including any improvements  
4 thereon, shall revert to the United States, and the United  
5 States shall have the right of immediate entry onto the  
6 property.

7 (d) INTERIM LEASE.—(1) Until such time as the real  
8 property described in subsection (a) is conveyed by deed,  
9 the Secretary may lease the property, together with im-  
10 provements thereon, to the County.

11 (2) As consideration for the lease under this sub-  
12 section, the County shall provide such security services  
13 and fire protection services for the property covered by  
14 the lease, and carry out such maintenance work with re-  
15 spect to the property, as the Secretary shall specify in the  
16 lease.

17 (e) DESCRIPTION OF PROPERTY.—The exact acreage  
18 and legal description of the real property to be conveyed  
19 under subsection (a) shall be determined by a survey satis-  
20 factory to the Secretary. The cost of the survey shall be  
21 borne by the County.

22 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-  
23 retary may require such additional terms and conditions  
24 in connection with the conveyance under subsection (a),  
25 and the lease, if any, under subsection (d), as the Sec-

1 retary considers appropriate to protect the interests of the  
2 United States.

3 **SEC. 1053. CORRECTION OF LEASE AUTHORITY, NAVAL AIR**  
4 **STATION, MERIDIAN, MISSISSIPPI.**

5 (a) CORRECTION OF LESSEE.—Subsection (a) of sec-  
6 tion 2837 of the Military Construction Authorization Act  
7 for Fiscal Year 1997 (division B of Public Law 104–201;  
8 110 Stat. 2798) is amended—

9 (1) by striking out “State of Mississippi (in this  
10 section referred to as the ‘State’)” and inserting in  
11 lieu thereof “County of Lauderdale, Mississippi (in  
12 this section referred to as the ‘County’)”; and

13 (2) by striking out “The State” and inserting  
14 in lieu thereof “The County”.

15 (b) CONFORMING AMENDMENTS.—Subsections (b)  
16 and (c) of such section are amended by striking out  
17 “State” each place it appears and inserting in lieu thereof  
18 “County”.

19 **PART III—AIR FORCE CONVEYANCES**

20 **SEC. 1061. LAND TRANSFER, EGLIN AIR FORCE BASE, FLOR-**  
21 **IDA.**

22 (a) TRANSFER.—The real property withdrawn by Ex-  
23 ecutive Order 4525, dated October 1, 1826, which consists  
24 of approximately 440 acres of land at Cape San Blas, Gulf  
25 County, Florida, and any improvements thereon, is trans-

1 ferred from the administrative jurisdiction of the Sec-  
2 retary of Transportation to the administrative jurisdiction  
3 of the Secretary of the Air Force, without reimbursement.  
4 Executive Order 4525 is revoked, and the transferred real  
5 property shall be administered by the Secretary of the Air  
6 Force pursuant to the Federal Property and Administra-  
7 tive Services Act of 1949 (40 U.S.C. 471 et seq.) and such  
8 other laws as may be applicable to Federal real property.

9 (b) USE OF PROPERTY.—The real property trans-  
10 ferred under subsection (a) may be used in conjunction  
11 with operations at Eglin Air Force Base, Florida.

12 (c) LEGAL DESCRIPTION.—The exact acreage and  
13 legal description of the real property to be transferred  
14 under subsection (a) shall be determined by a survey satis-  
15 factory to the Secretary of the Air Force. The cost of the  
16 survey shall be borne by the Secretary of the Air Force.

17 **SEC. 1062. LAND CONVEYANCE, MARCH AIR FORCE BASE,**  
18 **CALIFORNIA.**

19 (a) CONVEYANCE AUTHORIZED.—(1) The Secretary  
20 of the Air Force may convey to Air Force Village West,  
21 Incorporated (in this section referred to as the “Corpora-  
22 tion”), of Riverside, California, all right, title, and interest  
23 of the United States in and to a parcel of real property  
24 located at March Air Force Base, California, and consist-

1 ing of approximately 75 acres, as more fully described in  
2 subsection (c).

3 (2) If the Secretary does not make the conveyance  
4 authorized by paragraph (1) to the Corporation on or be-  
5 fore January 1, 2006, the Secretary shall convey the real  
6 property instead to the March Joint Powers Authority, the  
7 redevelopment authority established for March Air Force  
8 Base.

9 (b) CONSIDERATION.—As consideration for the con-  
10 veyance under subsection (a)(1), the Corporation shall pay  
11 to the United States an amount equal to the fair market  
12 value of the real property, as determined by the Secretary.

13 (c) LAND DESCRIPTION.—The real property to be  
14 conveyed under subsection (a) is contiguous to land con-  
15 veyed to the Corporation pursuant to section 835 of the  
16 Military Construction Authorization Act, 1985 (Public  
17 Law 98–407; 98 Stat. 1527), and lies within sections 27,  
18 28, 33, and 34 of Township 3 South, Range 4 West, San  
19 Bernardino Base and Meridian, County of Riverside, Cali-  
20 fornia. The exact acreage and legal description of the real  
21 property shall be determined by a survey satisfactory to  
22 the Secretary. The cost of the survey shall be borne by  
23 the party receiving the property.

24 (d) TECHNICAL CORRECTIONS REGARDING PRE-  
25 VIOUS CONVEYANCE.—Section 835 of the Military Con-

1 struction Authorization Act, 1985 (Public Law 98–407;  
2 98 Stat. 1527), is amended—

3 (1) in subsection (b), by striking out “sub-  
4 section (b)” and inserting in lieu thereof “subsection  
5 (a)”; and

6 (2) in subsection (c), by striking out “Clark  
7 Street,” and all that follows through the period and  
8 inserting in lieu thereof “Village West Drive, on the  
9 west by Allen Avenue, on the south by 8th Street,  
10 and the north is an extension of 11th Street between  
11 Allen Avenue and Clark Street.”.

12 **SEC. 1063. LAND CONVEYANCE, ELLSWORTH AIR FORCE**  
13 **BASE, SOUTH DAKOTA.**

14 (a) CONVEYANCE AUTHORIZED.—The Secretary of  
15 the Air Force may convey, without consideration, to the  
16 Greater Box Elder Area Economic Development Corpora-  
17 tion, Box Elder, South Dakota (in this section referred  
18 to as the “Corporation”), all right, title, and interest of  
19 the United States in and to the parcels of real property  
20 located at Ellsworth Air Force Base, South Dakota, re-  
21 ferred to in subsection (b).

22 (b) COVERED PROPERTY.—(1) Subject to paragraph  
23 (2), the real property referred to in subsection (a) is the  
24 following:

1           (A) A parcel of real property, together with any  
2           improvements thereon, consisting of approximately  
3           53.32 acres and comprising the Skyway Military  
4           Family Housing Area.

5           (B) A parcel of real property, together with any  
6           improvements thereon, consisting of approximately  
7           137.56 acres and comprising the Renal Heights  
8           Military Family Housing Area.

9           (C) A parcel of real property, together with any  
10          improvements thereon, consisting of approximately  
11          14.92 acres and comprising the East Nike Military  
12          Family Housing Area.

13          (D) A parcel of real property, together with any  
14          improvements thereon, consisting of approximately  
15          14.69 acres and comprising the South Nike Military  
16          Family Housing Area.

17          (E) A parcel of real property, together with any  
18          improvements thereon, consisting of approximately  
19          14.85 acres and comprising the West Nike Military  
20          Family Housing Area.

21          (2) The real property referred to in subsection (a)  
22          does not include the portion of real property referred to  
23          in paragraph (1)(B) that the Secretary determines to be  
24          required for the construction of an access road between  
25          the main gate of Ellsworth Air Force Base and an inter-



1 change on Interstate Route 90 located in the vicinity of  
2 mile marker 67 in South Dakota.

3 (c) CONDITIONS OF CONVEYANCE.—The conveyance  
4 of the real property referred to in subsection (b) shall be  
5 subject to the following conditions:

6 (1) That the Corporation, and any person or  
7 entity to which the Corporation transfers the prop-  
8 erty, comply in the use of the property with the ap-  
9 plicable provisions of the Ellsworth Air Force Base  
10 Air Installation Compatible Use Zone Study.

11 (2) That the Corporation convey a portion of  
12 the real property referred to in subsection (b)(1)(A),  
13 together with any improvements thereon, consisting  
14 of approximately 20 acres to the Douglas School  
15 District, South Dakota, for use for education pur-  
16 poses.

17 (d) REVERSION.—If the Secretary determines that  
18 any portion of the real property conveyed under subsection  
19 (a) is not being used in accordance with the applicable  
20 provision of subsection (c), all right, title, and interest in  
21 and to that portion of the real property (including any  
22 improvements thereon, shall revert to the United States,  
23 and the United States shall have the right of immediate  
24 entry thereon.

1 (e) LEGAL DESCRIPTION.—The exact acreage and  
2 legal description of the property to be conveyed under sub-  
3 section (a) shall be determined by a survey satisfactory  
4 to the Secretary. The cost of the survey shall be borne  
5 by the Corporation.

6 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-  
7 retary may require such additional terms and conditions  
8 in connection with the conveyance under subsection (a) as  
9 the Secretary considers appropriate to protect the inter-  
10 ests of the United States.

11 **SEC. 1064. LAND CONVEYANCE, HANCOCK FIELD, SYRA-**  
12 **CUSE, NEW YORK.**

13 (a) CONVEYANCE AUTHORIZED.—(1) The Secretary  
14 of the Air Force may convey, without consideration, to On-  
15 ondaga County, New York (in this section referred to as  
16 the “County”), all right, title, and interest of the United  
17 States in and to a parcel of real property, including any  
18 improvements thereon, consisting of approximately 14.9  
19 acres and located at Hancock Field, Syracuse, New York,  
20 the site of facilities no longer required for use by the  
21 152nd Air Control Group of the New York Air National  
22 Guard.

23 (2) If, at the time of the conveyance authorized by  
24 paragraph (1), the property to be conveyed is under the  
25 jurisdiction of the Administrator of General Services rath-

1 er than the Secretary, the Administrator shall make the  
2 conveyance.

3 (b) CONDITION OF CONVEYANCE.—The conveyance  
4 authorized by subsection (a) shall be subject to the condi-  
5 tion that the County use the property conveyed for eco-  
6 nomic development purposes.

7 (c) REVERSION.—If the Secretary (or the Adminis-  
8 trator in the event the conveyance is made by the Adminis-  
9 trator) determines at any time that the property conveyed  
10 pursuant to this section is not being used for the purposes  
11 specified in subsection (b), all right, title, and interest in  
12 and to the property, including any improvements thereon,  
13 shall revert to the United States, and the United States  
14 shall have the right of immediate entry thereon.

15 (d) DESCRIPTION OF PROPERTY.—The exact acreage  
16 and legal description of the property to be conveyed under  
17 subsection (a) shall be determined by a survey satisfactory  
18 to the Secretary (or the Administrator in the event the  
19 conveyance is made by the Administrator). The cost of the  
20 survey shall be borne by the County.

21 (e) ADDITIONAL TERMS AND CONDITIONS.—The  
22 Secretary (or the Administrator in the event the convey-  
23 ance is made by the Administrator) may require such ad-  
24 ditional terms and conditions in connection with the con-  
25 veyance under subsection (a) as the Secretary or the Ad-

1   ministrator, as the case may be, considers appropriate to  
2   protect the interests of the United States.

3   **SEC. 1065. LAND CONVEYANCE, HAVRE AIR FORCE STA-**  
4                   **TION, MONTANA, AND HAVRE TRAINING SITE,**  
5                   **MONTANA.**

6       (a) CONVEYANCE AUTHORIZED.—(1) The Secretary  
7   of the Air Force may convey, without consideration, to the  
8   Bear Paw Development Corporation, Havre, Montana (in  
9   this section referred to as the “Corporation”), all right,  
10  title, and interest of the United States in and to the real  
11  property described in paragraph (2).

12       (2) The authority in paragraph (1) applies to the fol-  
13  lowing real property:

14           (A) A parcel of real property, including any im-  
15       provements thereon, consisting of approximately 85  
16       acres and comprising the Havre Air Force Station,  
17       Montana.

18           (B) A parcel of real property, including any im-  
19       provements thereon, consisting of approximately 9  
20       acres and comprising the Havre Training Site, Mon-  
21       tana.

22       (b) CONDITIONS OF CONVEYANCE.—The conveyance  
23  authorized by subsection (a) shall be subject to the follow-  
24  ing conditions:

25           (1) That the Corporation—

1 (A) convey to the Box Elder School Dis-  
2 trict 13G, Montana, 10 single-family homes lo-  
3 cated on the property to be conveyed under that  
4 subsection as jointly agreed upon by the Cor-  
5 poration and the school district; and

6 (B) grant the school district access to the  
7 property for purposes of removing the homes  
8 from the property.

9 (2) That the Corporation—

10 (A) convey to the Hays/Lodgepole School  
11 District 50, Montana—

12 (i) 27 single-family homes located on  
13 the property to be conveyed under that  
14 subsection as jointly agreed upon by the  
15 Corporation and the school district;

16 (ii) one barracks housing unit located  
17 on the property;

18 (iii) two steel buildings (nos. 7 and 8)  
19 located on the property;

20 (iv) two tin buildings (nos. 37 and 44)  
21 located on the property; and

22 (v) miscellaneous personal property lo-  
23 cated on the property that is associated  
24 with the buildings conveyed under this sub-  
25 paragraph; and

1           (B) grant the school district access to the  
2           property for purposes of removing such homes  
3           and buildings, the housing unit, and such per-  
4           sonal property from the property.

5           (3) That the Corporation—

6           (A) convey to the District 4 Human Re-  
7           sources Development Council, Montana, eight  
8           single-family homes located on the property to  
9           be conveyed under that subsection as jointly  
10          agreed upon by the Corporation and the coun-  
11          cil; and

12          (B) grant the council access to the prop-  
13          erty for purposes of removing such homes from  
14          the property.

15          (4) That any property conveyed under sub-  
16          section (a) that is not conveyed under this sub-  
17          section be used for economic development purposes  
18          or housing purposes.

19          (c) REVERSION.—If the Secretary determines at any  
20          time that the portion of the property conveyed under sub-  
21          section (a) which is covered by the condition specified in  
22          subsection (b)(4) is not being used for the purposes speci-  
23          fied in that subsection, all right, title, and interest in and  
24          to such property, including any improvements thereon,

1 shall revert to the United States, and the United States  
2 shall have the right of immediate entry thereon.

3 (d) DESCRIPTION OF PROPERTY.—The exact acre-  
4 ages and legal description of the parcels of property to  
5 be conveyed under subsection (a) shall be determined by  
6 surveys satisfactory to the Secretary. The cost of the sur-  
7 veys shall be borne by the Corporation.

8 (e) ADDITIONAL TERMS AND CONDITIONS.—The  
9 Secretary may require such additional terms and condi-  
10 tions in connection with the conveyance under subsection  
11 (a) as the Secretary considers appropriate to protect the  
12 interests of the United States.

13 **SEC. 1066. LAND CONVEYANCE, CHARLESTON FAMILY**  
14 **HOUSING COMPLEX, BANGOR, MAINE.**

15 (a) CONVEYANCE AUTHORIZED.—The Secretary of  
16 the Air Force may convey, without consideration, to the  
17 City of Bangor, Maine (in this section referred to as the  
18 “City”), all right, title, and interest of the United States  
19 in and to a parcel of real property consisting of approxi-  
20 mately 19.8 acres, including improvements thereon, lo-  
21 cated in Bangor, Maine, and known as the Charleston  
22 Family Housing Complex.

23 (b) PURPOSE OF CONVEYANCE.—The purpose of the  
24 conveyance under subsection (a) is to facilitate the reuse  
25 of the real property, currently unoccupied, which the City

1 proposes to use to provide housing opportunities for first-  
2 time home buyers.

3 (c) CONDITION OF CONVEYANCE.—The conveyance  
4 authorized by subsection (a) shall be subject to the condi-  
5 tion that the City, if the City sells any portion of the prop-  
6 erty conveyed under subsection (a) before the end of the  
7 10-year period beginning on the date of enactment of this  
8 Act, pay to the United States an amount equal to the less-  
9 er of—

10 (1) the amount of sale of the property sold; or

11 (2) the fair market value of the property sold  
12 as determined without taking into account any im-  
13 provements to such property by the City.

14 (d) DESCRIPTION OF PROPERTY.—The exact acreage  
15 and legal description of the real property conveyed under  
16 subsection (a) shall be determined by a survey satisfactory  
17 to the Secretary. The cost of the survey shall be borne  
18 by the City.

19 (e) ADDITIONAL TERMS AND CONDITIONS.—The  
20 Secretary may require such additional terms and condi-  
21 tions in connection with the conveyance under subsection  
22 (a) as the Secretary considers appropriate to protect the  
23 interests of the United States.



1   **SEC. 1067. STUDY OF LAND EXCHANGE OPTIONS, SHAW AIR**  
2                   **FORCE BASE, SOUTH CAROLINA.**

3           Section 2874 of the Military Construction Authoriza-  
4   tion Act for Fiscal Year 1996 (division B of Public Law  
5   104–106; 110 Stat. 583) is amended by adding at the end  
6   the following new subsection:

7           “(g) STUDY OF EXCHANGE OPTIONS.—To facilitate  
8   the use of a land exchange to acquire the real property  
9   described in subsection (a), the Secretary shall conduct a  
10   study to identify real property in the possession of the Air  
11   Force (located in the State of South Carolina or else-  
12   where) that satisfies the requirements of subsection (b)(2),  
13   is acceptable to the party holding the property to be ac-  
14   quired, and is otherwise suitable for exchange under this  
15   section. Not later than three months after the date of the  
16   enactment of the National Defense Authorization Act for  
17   Fiscal Year 1998, the Secretary shall submit to Congress  
18   a report containing the results of the study.”.

19                   **Subtitle E—Other Matters**

20   **SEC. 1071. REPEAL OF REQUIREMENT TO OPERATE NAVAL**  
21                   **ACADEMY DAIRY FARM.**

22           (a) OPERATION.—(1) Chapter 603 of title 10, United  
23   States Code, is amended by adding at the end the follow-  
24   ing new section:

1 **“§ 6976. Operation of Naval Academy dairy farm**

2 “(a) DISCRETION REGARDING CONTINUED OPER-  
3 ATION.—(1) Subject to paragraph (2), the Secretary of  
4 the Navy may terminate or reduce the dairy or other oper-  
5 ations conducted at the Naval Academy dairy farm located  
6 in Gambrills, Maryland.

7 “(2) Notwithstanding the termination or reduction of  
8 operations at the Naval Academy dairy farm under para-  
9 graph (1), the real property containing the dairy farm  
10 (consisting of approximately 875 acres)—

11 “(A) may not be declared to be excess real  
12 property to the needs of the Navy or transferred or  
13 otherwise disposed of by the Navy or any Federal  
14 agency; and

15 “(B) shall be maintained in its rural and agri-  
16 cultural nature.

17 “(b) LEASE AUTHORITY.—(1) Subject to paragraph  
18 (2), to the extent that the termination or reduction of op-  
19 erations at the Naval Academy dairy farm permit, the Sec-  
20 retary of the Navy may lease the real property containing  
21 the dairy farm, and any improvements and personal prop-  
22 erty thereon, to such persons and under such terms as  
23 the Secretary considers appropriate. In leasing any of the  
24 property, the Secretary may give a preference to persons  
25 who will continue dairy operations on the property.

5       “(c) EFFECT OF OTHER LAWS.—Nothing in section  
6 6971 of this title shall be construed to require the Sec-  
7 retary of the Navy or the Superintendent of the Naval  
8 Academy to operate a dairy farm for the Naval Academy  
9 in Gambrills, Maryland, or any other location.”.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"6976. Operation of Naval Academy dairy farm."

(b) CONFORMING REPEAL OF EXISTING REQUIREMENTS.—Section 810 of the Military Construction Authorization Act, 1968 (Public Law 90–110; 81 Stat. 309), is repealed.

(c) OTHER CONFORMING AMENDMENTS.—(1) Section 6971(b)(5) of title 10, United States Code, is amended by inserting “(if any)” before the period at the end.

20           (2) Section 2105(b) of title 5, United States Code,  
21 is amended by inserting “(if any)” after “Academy dairy”.

22 SEC. 1072. LONG-TERM LEASE OF PROPERTY, NAPLES  
23 ITALY.

24 (a) **AUTHORITY.**—Subject to subsection (d), the Sec-  
25 retary of the Navy may acquire by long-term lease struc-

1 tures and real property relating to a regional hospital com-  
2 plex in Naples, Italy, that the Secretary determines to be  
3 necessary for purposes of the Naples Improvement Initia-  
4 tive.

5 (b) LEASE TERM.—Notwithstanding section 2675 of  
6 title 10, United States Code, the lease authorized by sub-  
7 section (a) shall be for a term of not more than 20 years.

8 (c) EXPIRATION OF AUTHORITY.—The authority of  
9 the Secretary to enter into a lease under subsection (a)  
10 shall expire on September 30, 2002.

11 (d) AUTHORITY CONTINGENT ON APPROPRIATIONS  
12 ACTS.—The authority of the Secretary to enter into a  
13 lease under subsection (a) is available only to the extent  
14 or in the amount provided in advance in appropriations  
15 Acts.

16 **SEC. 1073. DESIGNATION OF MILITARY FAMILY HOUSING**  
17 **AT LACKLAND AIR FORCE BASE, TEXAS, IN**  
18 **HONOR OF FRANK TEJEDA, A FORMER MEM-**  
19 **BER OF THE HOUSE OF REPRESENTATIVES.**

20 The military family housing developments to be con-  
21 structed at two locations on Government property at  
22 Lackland Air Force Base, Texas, under the authority of  
23 subchapter IV of chapter 169 of title 10, United States  
24 Code, shall be designated by the Secretary of the Air  
25 Force, at an appropriate time, as follows:

1           (1) The eastern development shall be des-  
2           ignated as “Frank Tejada Estates East”.

3           (2) The western development shall be des-  
4           ignated as “Frank Tejada Estates West”.

5 **SEC. 1074. FIBER-OPTICS BASED TELECOMMUNICATIONS**  
6 **LINKAGE OF MILITARY INSTALLATIONS.**

7           (a) **INSTALLATION REQUIRED.**—In at least one met-  
8           ropolitan area of the United States containing multiple  
9           military installations of one or more military departments  
10          or Defense Agencies, the Secretary of Defense shall pro-  
11          vide for the installation of fiber-optics based telecommuni-  
12          cations technology to link as many of the installations in  
13          the area as practicable in a telecommunications network.  
14          The Secretary shall use a full and open competitive proc-  
15          ess, consistent with section 2304 of title 10, United States  
16          Code, to provide for the installation of the telecommuni-  
17          cations network through one or more new contracts.

18          (b) **FEATURES OF NETWORK.**—The telecommuni-  
19          cations network shall provide direct access to local and  
20          long distance telephone carriers, allow for transmission of  
21          both classified and unclassified information, and take ad-  
22          vantage of the various capabilities of fiber-optics based  
23          telecommunications technology.

24          (c) **TIME FOR REQUEST FOR BIDS OR PROPOSALS.**—  
25          Not later than March 30, 1998, the Secretary of Defense

1 shall release a final request for bids or proposals to pro-  
2 vide the telecommunications network or networks de-  
3 scribed in subsection (a).

4 (d) REPORT ON IMPLEMENTATION.—Not later than  
5 December 31, 1998, the Secretary of Defense shall submit  
6 to the congressional defense committees a report on the  
7 implementation of subsection (c), including the metropoli-  
8 tan area or areas selected for the installation of a fiber-  
9 optics based telecommunications network, the current tele-  
10 communication costs for the Department of Defense in the  
11 selected area or areas, the estimated cost of the fiber-op-  
12 tics based network, and potential areas for the future use  
13 of fiber-optics.

## 14 **TITLE XI—SIKES ACT** 15 **IMPROVEMENT**

### 16 **SEC. 1101. SHORT TITLE.**

17 This title may be cited as the “Sikes Act Improve-  
18 ment Act of 1997”.

### 19 **SEC. 1102. DEFINITION OF SIKES ACT FOR PURPOSES OF** 20 **AMENDMENTS.**

21 In this title, the term “Sikes Act” means the Act en-  
22 titled “An Act to promote effectual planning, development,  
23 maintenance, and coordination of wildlife, fish, and game  
24 conservation and rehabilitation in military reservations”,

1 approved September 15, 1960 (16 U.S.C. 670a et seq.),  
2 commonly referred to as the “Sikes Act”.

3 **SEC. 1103. CODIFICATION OF SHORT TITLE OF ACT.**

4 The Sikes Act (16 U.S.C. 670a et seq.) is amended  
5 by inserting before title I the following new section:

6 **“SECTION 1. SHORT TITLE.**

7 “This Act may be cited as the ‘Sikes Act’.”.

8 **SEC. 1104. PREPARATION OF INTEGRATED NATURAL RE-**  
9 **SOURCES MANAGEMENT PLANS.**

10 (a) IN GENERAL.—Section 101 of the Sikes Act (16  
11 U.S.C. 670a(a)) is amended by striking out subsection (a)  
12 and inserting in lieu thereof the following new subsection:

13 “(a) AUTHORITY OF SECRETARY OF DEFENSE.—

14 “(1) PROGRAM.—

15 “(A) IN GENERAL.—The Secretary of De-  
16 fense shall carry out a program to provide for  
17 the conservation and rehabilitation of natural  
18 resources on military installations.

19 “(B) INTEGRATED NATURAL RESOURCES  
20 MANAGEMENT PLAN.—To facilitate the pro-  
21 gram, the Secretary of each military depart-  
22 ment shall prepare and implement an inte-  
23 grated natural resources management plan for  
24 each military installation in the United States  
25 under the jurisdiction of the Secretary, unless

1           the Secretary determines that the absence of  
2           significant natural resources on a particular in-  
3           stallation makes preparation of such a plan in-  
4           appropriate.

5           “(2) COOPERATIVE PREPARATION.—The Sec-  
6           retary of a military department shall prepare each  
7           integrated natural resources management plan for  
8           which the Secretary is responsible in cooperation  
9           with the Secretary of the Interior, acting through  
10          the Director of the United States Fish and Wildlife  
11          Service, and the head of each appropriate State fish  
12          and wildlife agency for the State in which the mili-  
13          tary installation concerned is located. Consistent  
14          with paragraph (4), the resulting plan for the mili-  
15          tary installation shall reflect the mutual agreement  
16          of the parties concerning conservation, protection,  
17          and management of fish and wildlife resources.

18          “(3) PURPOSES OF PROGRAM.—Consistent with  
19          the use of military installations to ensure the pre-  
20          paredness of the Armed Forces, the Secretaries of  
21          the military departments shall carry out the pro-  
22          gram required by this subsection to provide for—

23                  “(A) the conservation and rehabilitation of  
24                  natural resources on military installations;



1           “(B) the sustainable multipurpose use of  
2           the resources, which shall include hunting, fish-  
3           ing, trapping, and nonconsumptive uses; and

4           “(C) subject to safety requirements and  
5           military security, public access to military in-  
6           stallations to facilitate the use.

7           “(4) EFFECT ON OTHER LAW.—Nothing in this  
8           title—

9           “(A)(i) affects any provision of a Federal  
10          law governing the conservation or protection of  
11          fish and wildlife resources; or

12          “(ii) enlarges or diminishes the responsibil-  
13          ity and authority of any State for the protection  
14          and management of fish and resident wildlife;  
15          or

16          “(B) except as specifically provided in the  
17          other provisions of this section and in section  
18          102, authorizes the Secretary of a military de-  
19          partment to require a Federal license or permit  
20          to hunt, fish, or trap on a military installa-  
21          tion.”.

22          (b) CONFORMING AMENDMENTS.—Title I of the  
23          Sikes Act is amended—

24                 (1) in section 101(b)(4) (16 U.S.C.  
25                 670a(b)(4)), by striking out “cooperative plan” each

1 place it appears and inserting in lieu thereof “inte-  
2 grated natural resources management plan”;

3 (2) in section 101(c) (16 U.S.C. 670a(c)), in  
4 the matter preceding paragraph (1), by striking out  
5 “a cooperative plan” and inserting in lieu thereof  
6 “an integrated natural resources management plan”;

7 (3) in section 101(d) (16 U.S.C. 670a(d)), in  
8 the matter preceding paragraph (1), by striking out  
9 “cooperative plans” and inserting in lieu thereof “in-  
10 tegrated natural resources management plans”;

11 (4) in section 101(e) (16 U.S.C. 670a(e)), by  
12 striking out “Cooperative plans” and inserting in  
13 lieu thereof “Integrated natural resources manage-  
14 ment plans”;

15 (5) in section 102 (16 U.S.C. 670b), by striking  
16 out “a cooperative plan” and inserting in lieu there-  
17 of “an integrated natural resources management  
18 plan”;

19 (6) in section 103 (16 U.S.C. 670c), by striking  
20 out “a cooperative plan” and inserting in lieu there-  
21 of “an integrated natural resources management  
22 plan”;

23 (7) in section 106(a) (16 U.S.C. 670f(a)), by  
24 striking out “cooperative plans” and inserting in lieu

1       thereof “integrated natural resources management  
2       plans”; and

3           (8) in section 106(c) (16 U.S.C. 670f(c)), by  
4       striking out “cooperative plans” and inserting in lieu  
5       thereof “integrated natural resources management  
6       plans”.

7       (c) REQUIRED ELEMENTS OF PLANS.—Section  
8       101(b) of the Sikes Act (16 U.S.C. 670a(b)) is amended—  
9           (1) by striking out “(b) Each cooperative” and  
10       all that follows through the end of paragraph (1)  
11       and inserting in lieu thereof the following:

12       “(b) REQUIRED ELEMENTS OF PLANS.—Consistent  
13       with the use of military installations to ensure the pre-  
14       paredness of the Armed Forces, each integrated natural  
15       resources management plan prepared under subsection  
16       (a)—

17           “(1) shall, to the extent appropriate and appli-  
18       cable, provide for—

19               “(A) fish and wildlife management, land  
20               management, forest management, and fish- and  
21               wildlife-oriented recreation;

22               “(B) fish and wildlife habitat enhancement  
23               or modifications;

1           “(C) wetland protection, enhancement, and  
2 restoration, where necessary for support of fish,  
3 wildlife, or plants;

4           “(D) integration of, and consistency  
5 among, the various activities conducted under  
6 the plan;

7           “(E) establishment of specific natural re-  
8 source management goals and objectives and  
9 time frames for proposed action;

10           “(F) sustainable use by the public of natu-  
11 ral resources to the extent that the use is not  
12 inconsistent with the needs of fish and wildlife  
13 resources;

14           “(G) public access to the military installa-  
15 tion that is necessary or appropriate for the use  
16 described in subparagraph (F), subject to re-  
17 quirements necessary to ensure safety and mili-  
18 tary security;

19           “(H) enforcement of applicable natural re-  
20 source laws (including regulations);

21           “(I) no net loss in the capability of mili-  
22 tary installation lands to support the military  
23 mission of the installation; and

1           “(J) such other activities as the Secretary  
2           of the military department determines appro-  
3           priate;”;

4           (2) in paragraph (2), by adding “and” at the  
5           end;

6           (3) by striking out paragraph (3);

7           (4) by redesignating paragraph (4) as para-  
8           graph (3); and

9           (5) in paragraph (3)(A) (as so redesignated), by  
10          striking out “collect the fees therefor,” and inserting  
11          in lieu thereof “collect, spend, administer, and ac-  
12          count for fees for the permits,”.

13 **SEC. 1105. REVIEW FOR PREPARATION OF INTEGRATED**  
14 **NATURAL RESOURCES MANAGEMENT PLANS.**

15          (a) DEFINITIONS.—In this section, the terms “mili-  
16          tary installation” and “United States” have the meanings  
17          provided in section 100 of the Sikes Act (as added by sec-  
18          tion 1111).

19          (b) REVIEW OF MILITARY INSTALLATIONS.—

20               (1) REVIEW.—Not later than 270 days after  
21          the date of enactment of this Act, the Secretary of  
22          each military department shall—

23                       (A) review each military installation in the  
24                       United States that is under the jurisdiction of  
25                       that Secretary to determine the military instal-

1           lations for which the preparation of an inte-  
2           grated natural resources management plan  
3           under section 101 of the Sikes Act (as amended  
4           by this title) is appropriate; and

5                   (B) submit to the Secretary of Defense a  
6           report on the determinations.

7           (2) REPORT TO CONGRESS.—Not later than one  
8           year after the date of enactment of this Act, the  
9           Secretary of Defense shall submit to Congress a re-  
10          port on the reviews conducted under paragraph (1).

11         The report shall include—

12                   (A) a list of the military installations re-  
13           viewed under paragraph (1) for which the Sec-  
14           retary of the appropriate military department  
15           determines that the preparation of an inte-  
16           grated natural resources management plan is  
17           not appropriate; and

18                   (B) for each of the military installations  
19           listed under subparagraph (A), an explanation  
20           of each reason such a plan is not appropriate.

21         (c) DEADLINE FOR INTEGRATED NATURAL RE-  
22         SOURCES MANAGEMENT PLANS.—Not later than three  
23         years after the date of the submission of the report re-  
24         quired under subsection (b)(2), the Secretary of each mili-  
25         tary department shall, for each military installation with

1 respect to which the Secretary has not determined under  
2 subsection (b)(2)(A) that preparation of an integrated  
3 natural resources management plan is not appropriate—

4           (1) prepare and begin implementing such a plan  
5           in accordance with section 101(a) of the Sikes Act  
6           (as amended by this title); or

7           (2) in the case of a military installation for  
8           which there is in effect a cooperative plan under sec-  
9           tion 101(a) of the Sikes Act on the day before the  
10          date of enactment of this Act, complete negotiations  
11          with the Secretary of the Interior and the heads of  
12          the appropriate State agencies regarding changes to  
13          the plan that are necessary for the plan to constitute  
14          an integrated natural resources management plan  
15          that complies with that section, as amended by this  
16          title.

17          (d) PUBLIC COMMENT.—The Secretary of each mili-  
18          tary department shall provide an opportunity for the sub-  
19          mission of public comments on—

20               (1) integrated natural resources management  
21               plans proposed under subsection (c)(1); and

22               (2) changes to cooperative plans proposed under  
23               subsection (c)(2).

1 **SEC. 1106. TRANSFER OF WILDLIFE CONSERVATION FEES**  
2 **FROM CLOSED MILITARY INSTALLATIONS.**

3 Section 101(b)(3)(B) of the Sikes Act (16 U.S.C.  
4 670a(b)) (as redesignated by section 2904(c)(4)) is  
5 amended by inserting before the period at the end the fol-  
6 lowing: “, unless the military installation is subsequently  
7 closed, in which case the fees may be transferred to an-  
8 other military installation to be used for the same pur-  
9 poses”.

10 **SEC. 1107. ANNUAL REVIEWS AND REPORTS.**

11 Section 101 of the Sikes Act (16 U.S.C. 670a) is  
12 amended by adding at the end the following new sub-  
13 section:

14 “(f) REVIEWS AND REPORTS.—

15 “(1) SECRETARY OF DEFENSE.—Not later than  
16 March 1 of each year, the Secretary of Defense shall  
17 review the extent to which integrated natural re-  
18 sources management plans were prepared or were in  
19 effect and implemented in accordance with this title  
20 in the preceding year, and submit a report on the  
21 findings of the review to the committees. Each re-  
22 port shall include—

23 “(A) the number of integrated natural re-  
24 sources management plans in effect in the year  
25 covered by the report, including the date on



1           which each plan was issued in final form or  
2           most recently revised;

3           “(B) the amounts expended on conserva-  
4           tion activities conducted pursuant to the plans  
5           in the year covered by the report; and

6           “(C) an assessment of the extent to which  
7           the plans comply with this title.

8           “(2) SECRETARY OF THE INTERIOR.—Not later  
9           than March 1 of each year and in consultation with  
10          the heads of State fish and wildlife agencies, the  
11          Secretary of the Interior shall submit a report to the  
12          committees on the amounts expended by the Depart-  
13          ment of the Interior and the State fish and wildlife  
14          agencies in the year covered by the report on con-  
15          servation activities conducted pursuant to integrated  
16          natural resources management plans.

17          “(3) DEFINITION OF COMMITTEES.—In this  
18          subsection, the term ‘committees’ means—

19                 “(A) the Committee on Resources and the  
20                 Committee on National Security of the House  
21                 of Representatives; and

22                 “(B) the Committee on Armed Services  
23                 and the Committee on Environment and Public  
24                 Works of the Senate.”.

1 **SEC. 1108. COOPERATIVE AGREEMENTS.**

2 Section 103a of the Sikes Act (16 U.S.C. 670c–1)  
3 is amended—

4 (1) in subsection (a), by striking out “Secretary  
5 of Defense” and inserting in lieu thereof “Secretary  
6 of a military department”; and

7 (2) by striking out subsection (b) and inserting  
8 in lieu thereof the following new subsection:

9 “(b) MULTIYEAR AGREEMENTS.—Funds appro-  
10 priated to the Department of Defense for a fiscal year may  
11 be obligated to cover the cost of goods and services pro-  
12 vided under a cooperative agreement entered into under  
13 subsection (a) or through an agency agreement under sec-  
14 tion 1535 of title 31, United States Code, during any 18-  
15 month period beginning in that fiscal year, without regard  
16 to whether the agreement crosses fiscal years.”.

17 **SEC. 1109. FEDERAL ENFORCEMENT.**

18 Title I of the Sikes Act is amended—

19 (1) by redesignating section 106 (16 U.S.C.  
20 670f) as section 108; and

21 (2) by inserting after section 105 (16 U.S.C.  
22 670e) the following new section:

23 **“SEC. 106. FEDERAL ENFORCEMENT OF OTHER LAWS.**

24 “All Federal laws relating to the management of nat-  
25 ural resources on Federal land may be enforced by the  
26 Secretary of Defense with respect to violations of the laws

1 that occur on military installations within the United  
2 States.”.

3 **SEC. 1110. NATURAL RESOURCES MANAGEMENT SERVICES.**

4 Title I of the Sikes Act is amended by inserting after  
5 section 106 (as added by section 1109) the following new  
6 section:

7 **“SEC. 107. NATURAL RESOURCES MANAGEMENT SERVICES.**

8 “To the extent practicable using available resources,  
9 the Secretary of each military department shall ensure  
10 that sufficient numbers of professionally trained natural  
11 resources management personnel and natural resources  
12 law enforcement personnel are available and assigned re-  
13 sponsibility to perform tasks necessary to carry out this  
14 title, including the preparation and implementation of in-  
15 tegrated natural resources management plans.”.

16 **SEC. 1111. DEFINITIONS.**

17 Title I of the Sikes Act is amended by inserting be-  
18 fore section 101 (16 U.S.C. 670a) the following new sec-  
19 tion:

20 **“SEC. 100. DEFINITIONS.**

21 “In this title:

22 “(1) **MILITARY INSTALLATION.**—The term  
23 ‘military installation’—

24 “(A) means any land or interest in land  
25 owned by the United States and administered

1 by the Secretary of Defense or the Secretary of  
2 a military department, except land under the  
3 jurisdiction of the Assistant Secretary of the  
4 Army having responsibility for civil works;

5 “(B) includes all public lands withdrawn  
6 from all forms of appropriation under public  
7 land laws and reserved for use by the Secretary  
8 of Defense or the Secretary of a military de-  
9 partment; and

10 “(C) does not include any land described  
11 in subparagraph (A) or (B) that is subject to  
12 an approved recommendation for closure under  
13 the Defense Base Closure and Realignment Act  
14 of 1990 (part A of title XXIX of Public Law  
15 101–510; 10 U.S.C. 2687 note).

16 “(2) STATE FISH AND WILDLIFE AGENCY.—The  
17 term ‘State fish and wildlife agency’ means the one  
18 or more agencies of State government that are re-  
19 sponsible under State law for managing fish or wild-  
20 life resources.

21 “(3) UNITED STATES.—The term ‘United  
22 States’ means the States, the District of Columbia,  
23 and the territories and possessions of the United  
24 States.”.

1 **SEC. 1112. REPEAL OF SUPERSEDED PROVISION.**

2 Section 2 of the Act of October 27, 1986 (Public Law  
3 99–561; 16 U.S.C. 670a–1), is repealed.

4 **SEC. 1113. TECHNICAL AMENDMENTS.**

5 Title I of the Sikes Act, as amended by this title,  
6 is amended—

7 (1) in the heading for the title, by striking out  
8 “MILITARY RESERVATIONS” and inserting in  
9 lieu thereof “MILITARY INSTALLATIONS”;

10 (2) in section 101(b)(3) (16 U.S.C.  
11 670a(b)(3)), as redesignated by section 2904(c)(4)—

12 (A) in subparagraph (A), by striking out  
13 “the reservation” and inserting in lieu thereof  
14 “the installation”; and

15 (B) in subparagraph (B), by striking out  
16 “the military reservation” and inserting in lieu  
17 thereof “the military installation”;

18 (3) in section 101(c) (16 U.S.C. 670a(c))—

19 (A) in paragraph (1), by striking out “a  
20 military reservation” and inserting in lieu  
21 thereof “a military installation”; and

22 (B) in paragraph (2), by striking out “the  
23 reservation” and inserting in lieu thereof “the  
24 installation”;

25 (4) in section 101(e) (16 U.S.C. 670a(e)), by  
26 striking “the Federal Grant and Cooperative Agree-

1       ment Act of 1977 (41 U.S.C. 501 et seq.)” and in-  
 2       serting “chapter 63 of title 31, United States Code”;  
 3       (5) in section 102 (16 U.S.C. 670b), by striking  
 4       out “military reservations” and inserting in lieu  
 5       thereof “military installations”; and  
 6       (6) in section 103 (16 U.S.C. 670c)—  
 7       (A) by striking out “military reservations”  
 8       and inserting in lieu thereof “military installa-  
 9       tions”; and  
 10       (B) by striking out “such reservations”  
 11       and inserting in lieu thereof “the installations”.

12 **SEC. 1114. AUTHORIZATIONS OF APPROPRIATIONS.**

13       (a) CONSERVATION PROGRAMS ON MILITARY IN-  
 14       STALLATIONS.—Subsections (b) and (c) of section 108 of  
 15       the Sikes Act (as redesignated by section 2909(1)) are  
 16       each amended by striking out “1983” and all that follows  
 17       through “1993,” and inserting in lieu thereof “1998  
 18       through 2003,”.

19       (b) CONSERVATION PROGRAMS ON PUBLIC LANDS.—  
 20       Section 209 of the Sikes Act (16 U.S.C. 670o) is amend-  
 21       ed—

22       (1) in subsection (a), by striking out “the sum  
 23       of \$10,000,000” and all that follows through “to en-  
 24       able the Secretary of the Interior” and inserting in  
 25       lieu thereof “\$4,000,000 for each of fiscal years

1       1998 through 2003, to enable the Secretary of the  
2       Interior”; and

3               (2) in subsection (b), by striking out “the sum  
4       of \$12,000,000” and all that follows through “to en-  
5       able the Secretary of Agriculture” and inserting in  
6       lieu thereof “\$5,000,000 for each of fiscal years  
7       1998 through 2003, to enable the Secretary of Agri-  
8       culture”.

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