

104TH CONGRESS
2D SESSION

S. 1673

To authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1997, to authorize certain construction at military installations for fiscal year 1997, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 16, 1996

Mr. THURMOND (for himself and Mr. NUNN) (by request) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1997, to authorize certain construction at military installations for fiscal year 1997, 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.**

4 This Act may be cited as the “National Defense Au-
5 thorization Act for Fiscal Year 1997”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Table of contents.

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

- Sec. 101. Army.
- Sec. 102. Navy and Marine Corps.
- Sec. 103. Air Force.
- Sec. 104. Defense-wide Activities.
- Sec. 105. Defense Inspector General.
- Sec. 106. Defense Health program.
- Sec. 107. Chemical demilitarization program.

Subtitle B—Other Matters

- Sec. 110. Clarification of waiver provision for F-15 aircraft program.
- Sec. 111. Increase in the definitional amounts for major systems for Department of Defense procurement.
- Sec. 112. Notice to contractors and employees for employment services upon notification of actual termination or substantial reduction in contracts under major defense programs.
- Sec. 113. Authorizes revisions to improve the acquisition reporting process for major defense acquisition programs.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

- Sec. 201. Authorization of Appropriations.
- Sec. 202. Live-fire survivability testing of V-22 aircraft.
- Sec. 203. Live-fire survivability testing of F-22 aircraft.
- Sec. 204. Research activities of the Defense Advanced Research Projects Agency.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

- Sec. 301. Operation and maintenance funding.
- Sec. 302. Working capital funds.

Subtitle B—Other Matters

- Sec. 310. Remedies for contractor employee whistleblowers.
- Sec. 311. Repeal of requirement for physical examination on calling militia into Federal service.
- Sec. 312. Training of military personnel at non-government facilities.
- Sec. 313. Sale of Clean Air Act emission reduction credits, allowances, offsets, or comparable economic incentives.
- Sec. 314. Defense Business Operations Fund amendment.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

- Sec. 401. End strengths for active forces.
- Sec. 402. Excluding certain Reserve component members on active duty for 181 days or more from active component end strengths.

Subtitle B—Reserve Forces

- Sec. 411. End strengths for Selected Reserve.
 Sec. 412. End strengths for Reserves on active duty in support of the Reserves.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Matters Relating to Reserve Components

- Sec. 501. Discharge or retirement for years of service or after selection for early removal.
 Sec. 502. Appointment above O-2 in the United States Naval Reserve.
 Sec. 503. Test program on unlimited use of commissary stores by eligible reservists.
 Sec. 504. Active duty retirement sanctuary for reservists.
 Sec. 505. Change in time for award of degree to be considered to meet the Selected Reserve officer education requirement.
 Sec. 506. Clarification of limitation on furnishing clothing or allowances for enlisted National Guard technicians.
 Sec. 507. Use of active Guard and Reserve personnel in composite active and reserve component activities and in activities and functions assigned to a reserve component organization.

Subtitle B—Officer Education Programs

- Sec. 510. Extension of age requirements for appointment as a cadet or midshipman in the Senior Reserve Officers' Training Corps and the military department service academies.
 Sec. 511. Expansion of Senior Reserve Officer Training Corps advanced training program to include graduate students.

Subtitle C—Other Matters

- Sec. 515. Clarifying definition of active status.
 Sec. 516. Chief warrant officer promotions.
 Sec. 517. Revisions to missing persons authorities.
 Sec. 518. Authority for the temporary promotions of certain Navy lieutenants.
 Sec. 519. Extension in the delayed entry program of up to 180 days for meritorious cases.
 Sec. 520. Amendment authorizing senior enlisted members of the Armed Forces to reenlist for an indefinite period of time.
 Sec. 521. Exchange of personnel of the Department of Defense with foreign defense departments or ministries.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

- Sec. 601. Military pay raise for fiscal year 1997.
 Sec. 602. Restriction on entitlement to basic allowance for quarters for reserve component members.
 Sec. 603. Continuous BAQ/VHA for single members who PCS to deployed unit; authorization to quarters ashore (either adequate or inadequate), or basic allowance for quarters for E-5 members, without dependents, assigned to sea duty; and BAQ/VHA for shipboard military couples.
 Sec. 604. Adjustments in cadet and midshipmen pay.

Subtitle B—Extension on Bonuses and Special Pays

- Sec. 605. Extension of authority relating to payment of other bonuses and special pays.
- Sec. 606. Extension of certain bonuses for Reserve forces.
- Sec. 607. Extension and modification of certain bonuses and special pay for nurse officer candidates, registered nurses, and nurse anesthetists.

Subtitle C—Travel and Transportation Allowances

- Sec. 610. Round-trip travel allowances for shipping motor vehicles at Government expense.
- Sec. 611. Authority to reimburse Department of Defense domestic dependent school-board members for certain programs and activities.
- Sec. 612. Storage of a motor vehicle in lieu of transportation.
- Sec. 613. Repeal of prohibition on payment of lodging expenses when adequate Government quarters are available.

Subtitle D—Retired Pay, Survivor Benefits, and Related Matters

- Sec. 615. Effective date for military retiree cost-of-living adjustment for fiscal year 1998.
- Sec. 616. Clarifying use of military morale, welfare, and recreation facilities by retired reservists.
- Sec. 617. Authorization for survivors of members of the uniformed services to receive a payment upon death of a member for all accrued leave.

Subtitle E—Other Matters

- Sec. 620. Disability coverage for officers granted excess leave for educational purposes.
- Sec. 621. Amendments to the Uniformed Services Former Spouses' Protection Act.
- Sec. 622. Program improvements: Troops to Teachers Program.
- Sec. 623. Travel and transportation allowances: travel performed in connection with leave between consecutive overseas tours.
- Sec. 624. Pay and allowances for overseas duty of Department of Defense civilian employees.

TITLE VII—HEALTH CARE PROVISIONS

- Sec. 701. Technical revision to CHAMPUS payment limits for TRICARE prime enrollees.
- Sec. 702. Alternative to active duty service obligation under Health Professions Scholarship and Financial Assistance Program.
- Sec. 703. Exception to strength limitations for Public Health Service officers assigned to the Department of Defense.
- Sec. 704. Repeal of the statutory restriction on use of funds for abortions.
- Sec. 705. Medical and dental care for Reserve component members in a duty status.
- Sec. 706. Improved death and disability benefits for reservists.

TITLE VIII—ACQUISITION AND RELATED MATTERS

- Sec. 801. Repeal of procurement technical assistance cooperative agreement program.

- Sec. 802. Clarification of authority for requisitioning and lease of General Services vehicles for the National Guard.
- Sec. 803. Extension of pilot mentor program.
- Sec. 804. Extension and revision of authority to enter into prototype projects.
- Sec. 805. Repeal of reporting requirement regarding research projects and infusion of confidentiality requirement to protect proprietary data.
- Sec. 806. Authority for payments from canceled account for shipbuilding and conversion to be made from prior years account.
- Sec. 807. Reliance on the private sector for supplies and services.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—General Matters

- Sec. 901. Change in name of North American Air Defense Command.
- Sec. 902. Amendment to board membership of the Ammunition Storage Board.
- Sec. 903. Amendment to the Foreign Trade Zones Act to remove the Secretary of the Army from membership on the Foreign Trade Zone Board and for other purposes.

Subtitle B—Financial Management

- Sec. 910. Devolution of environmental restoration transfer accounts to the military departments.
- Sec. 911. Recruiting functions: use of funds.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

- Sec. 1001. Repeal of requirement for separate budget request for procurement of Reserve equipment.
- Sec. 1002. Acceptance of services for Defense purpose (Defense cooperation account).
- Sec. 1003. Transfer of wildlife conservation fees from closed military installations.
- Sec. 1004. Department of Defense Disbursing official check cashing and exchange transactions.
- Sec. 1005. Disposition of certain assets arising out of the sale of certain assets at closed military installations.

Subtitle B—Civilian Personnel

- Sec. 1010. Civilian Faculty Members at Certain Department of Defense Schools: Employment and Compensation.
- Sec. 1011. Employment and compensation provisions for faculty members and leadership of the Asia-Pacific Center for Security Studies.
- Sec. 1012. Excepted appointment of judicial non-attorney staff in the United States Court of Appeals for the Armed Forces.
- Sec. 1013. Conversion of military positions.

Subtitle C—Miscellaneous Reporting Requirements

- Sec. 1020. National Guard and Reserve component equipment: annual report to Congress.
- Sec. 1021. Annual report on strategic defense initiative.
- Sec. 1022. Repeal of report on contractor reimbursement costs.

Sec. 1023. Repeal of notice requirements for substantially or seriously affected parties in downsizing efforts.

Subtitle D—Matters Relating to Other Nations

Sec. 1025. Authorization for execution of Department of Defense demining program.

Subtitle E—Other Matters

Sec. 1030. National defense technology and industrial base, defense reinvestment, and defense conversion.

Sec. 1031. Restoration of authority for certain intragovernment transfers in the base closure and realignment process.

Sec. 1032. Conveyance of Primate Research Complex and Air Force owned chimpanzees.

Sec. 1033. Chemical demilitarization citizens advisory commissions.

Sec. 1034. Transfer of excess personal property to support law enforcement agencies.

Sec. 1035. Authority of a Reserve Judge Advocate or law specialist to act as a notary public.

Sec. 1036. Control of transportation systems in time of war.

Sec. 1037. To clarify that the soldiers' and sailors' Civil Relief Act does not toll the period of limitations for filing claims for corrections of military records.

Sec. 1038. Redesignation of Office of Naval Records and History Gift Fund to Naval Historical Center Fund.

Sec. 1039. George C. Marshall European Center for Strategic Security Studies: relations with other nations.

Sec. 1040. Transfer of lands related to Arlington National Cemetery.

Sec. 1041. Transportation by commissaries and exchanges to overseas locations.

Sec. 1042. Cooperative agreements for the management of cultural resources.

Sec. 1043. Medal of Honor for African American soldiers who served in World War II.

Sec. 1044. Presidential inauguration assistance.

Sec. 1045. To withdraw and reserve certain public lands in the State of California utilized in the mission of the Naval Air Facility, El Centro, California

1 **TITLE I—PROCUREMENT**
 2 **Subtitle A—Authorization of**
 3 **Appropriations**

4 **SEC. 101. ARMY.**

5 Funds are hereby authorized to be appropriated for
 6 fiscal year 1997 for procurement for the Army as follows:

7 (1) For aircraft, \$970,815,000.

8 (2) For missiles, \$766,329,000.

1 (3) For weapons and tracked combat vehicles,
2 \$1,102,014,000.

3 (4) For ammunition, \$853,428,000.

4 (5) For other procurement, \$2,627,440,000.

5 **SEC. 102. NAVY AND MARINE CORPS.**

6 Funds are hereby authorized to be appropriated for
7 fiscal year 1997 for procurement for the Navy as follows:

8 (1) For aircraft, \$5,881,952,000.

9 (2) For weapons, including missiles and tor-
10 pedoes, \$1,400,363,000.

11 (3) For shipbuilding and conversion,
12 \$4,911,930,000.

13 (4) For other procurement, \$2,714,195,000.

14 Funds are hereby authorized to be appropriated for fiscal
15 year 1997 for procurement for the Marine Corps in the
16 amount of \$555,507,000.

17 **SEC. 103. AIR FORCE.**

18 Funds are hereby authorized to be appropriated for
19 fiscal year 1997 for procurement for the Air Force as fol-
20 lows:

21 (1) For aircraft, \$5,779,228,000.

22 (2) For missiles, \$2,733,877,000.

23 (3) For other procurement, \$5,998,819,000.

1 **SEC. 104. DEFENSE-WIDE ACTIVITIES.**

2 Funds are hereby authorized to be appropriated for
3 fiscal year 1997 for defense-wide procurement in the
4 amount of \$1,814,212,000.

5 **SEC. 105. DEFENSE INSPECTOR GENERAL.**

6 Funds are hereby authorized to be appropriated for
7 fiscal year 1997 for the procurement for the Defense In-
8 spector General in the amount of \$2,000,000.

9 **SEC. 106. DEFENSE HEALTH PROGRAM.**

10 Funds are hereby authorized to be appropriated for
11 fiscal year 1997 for the Department of Defense for pro-
12 curement for carrying out health care programs, projects,
13 and activities of the Department of Defense in the total
14 amount of \$269,470,000.

15 **SEC. 107. CHEMICAL DEMILITARIZATION PROGRAM.**

16 There is hereby authorized to be appropriated for fis-
17 cal year 1997 in the amount of \$799,847,000 for—

18 (1) the destruction of lethal chemical weapons
19 in accordance with section 1412 of the Department
20 of Defense Authorization Act, 1986 (50 U.S.C.
21 1521), and

22 (2) the destruction of chemical warfare material
23 of the United States that is not covered by section
24 1412 of such Act.

1 **Subtitle B—Other Matters**

2 **SEC. 110. CLARIFICATION OF WAIVER PROVISION FOR F-15**
3 **AIRCRAFT PROGRAM.**

4 The prohibition in section 134(a)(2) of the National
5 Defense Authorization Act for Fiscal Years 1990 and
6 1991 (Public Law 101–189; 103 Stat. 1383) does not
7 apply to the obligation of funds appropriated by the De-
8 partment of Defense Appropriations Act, 1996 (Public
9 Law 104–61; 109 Stat. 636) under the heading “Aircraft
10 Procurement, Air Force” and authorized by the National
11 Defense Authorization Act for Fiscal Year 1996 (Public
12 Law 104–106; 110 Stat. 186) for F–15E aircraft or to
13 any appropriation or authorization for the Department of
14 Defense for fiscal year 1997.

15 **SEC. 111. INCREASE IN THE DEFINITIONAL AMOUNTS FOR**
16 **MAJOR SYSTEMS FOR DEPARTMENT OF DE-**
17 **FENSE PROCUREMENT.**

18 Section 2302(5)(A) of title 10, United States Code,
19 is amended—

20 (1) by striking out “\$75,000,000 (based on fis-
21 cal year 1980 constant dollars)” and inserting in
22 lieu thereof “\$115,000,000 (based on fiscal year
23 1990 dollars)”;

24 (2) by striking out “\$300,000,000 (based on
25 fiscal year 1980 constant dollars)” and inserting in

1 lieu thereof “\$540,000,000 (based on fiscal year
2 1990 constant dollars)”; and

3 (3) by adding to the end of section (5)(A),
4 “The Secretary of Defense may adjust the amounts
5 (and the base fiscal year) on the basis of Depart-
6 ment of Defense escalation rates; however, that ad-
7 justment shall not be effective until after the Sec-
8 retary transmits a written notification of the adjust-
9 ment to the Committee on Armed Services of the
10 Senate and Committee on National Security of the
11 House of Representatives.”.

12 **SEC. 112. NOTICE TO CONTRACTORS AND EMPLOYEES FOR**
13 **EMPLOYMENT SERVICES UPON NOTIFICA-**
14 **TION OF ACTUAL TERMINATION OR SUBSTAN-**
15 **TIAL REDUCTION IN CONTRACTS UNDER**
16 **MAJOR DEFENSE PROGRAMS.**

17 Section 4471 of the Defense Conversion, Reinvest-
18 ment, and Transition Assistance Act of 1992 (Division D
19 of the National Defense Authorization Act for Fiscal Year
20 1993 (Public Law 102–484; 106 Stat. 2753;)) is amended
21 to read as follows:

1 **“SEC. 4471. NOTICE TO CONTRACTORS AND EMPLOYEES**
2 **FOR EMPLOYMENT SERVICES UPON NOTIFI-**
3 **CATION OF ACTUAL TERMINATION OR SUB-**
4 **STANTIAL REDUCTION IN CONTRACTS**
5 **UNDER MAJOR DEFENSE PROGRAMS.**

6 “(a) NOTICE REQUIREMENT AFTER ENACTMENT OF
7 APPROPRIATIONS ACT.—Each year, not later than 60
8 days after the date of the enactment of an Act appropriat-
9 ing funds for the military functions of the Department of
10 Defense, the Secretary of Defense, shall—

11 “(1) identify which contracts (if any) under
12 major defense programs of the Department of De-
13 fense will be terminated or substantially reduced as
14 a result of the funding levels provided in that Act;
15 and

16 “(2) ensure that notice of the termination of, or
17 substantial reduction in, that contract’s funding is
18 provided—

19 “(A) directly to each prime contractor of
20 an affected contract; and

21 “(B) directly to the Secretary of Labor.

22 “(b) NOTICE TO SUBCONTRACTORS.—Not later than
23 60 days after the date on which the prime contractor for
24 a major defense program receives notice under subsection
25 (a), the prime contractor shall—

1 “(1) provide notice of that termination or sub-
2 stantial reduction to each first-tier subcontractor for
3 that prime contract for subcontracts in an amount
4 not less than \$500,000; and

5 “(2) require that each subcontractor—

6 “(A) provide such notice to each of its sub-
7 contractors for subcontracts in an amount in
8 excess of \$100,000; and

9 “(B) impose a similar notice and pass
10 through requirement to subcontractors in an
11 amount in excess of \$100,000 at all tiers.

12 “(c) CONTRACTOR NOTICE TO EMPLOYEES AND
13 STATE DISLOCATED WORKER UNIT.—Not later than two
14 weeks after a defense contractor receives notice under sub-
15 section (a) or (b), as the case may be, the contractor shall
16 provide notice of such termination or substantial reduction
17 to—

18 “(1)(A) each representative of employees whose
19 work is directly related to the defense contract under
20 such major defense program and who are employed
21 by the defense contractor; or

22 “(B) if there is no such representative at that
23 time, each such employee; and

24 “(2) the State dislocated worker unit or office
25 described in section 311(b)(2) of the Job Training

1 Partnership Act (29 U.S.C. 1661(b)(2)) and the
2 chief elected official of the unit of general local gov-
3 ernment within which the adverse effect may occur.

4 “(d) CONSTRUCTIVE NOTICE.—The notice of termi-
5 nation of, or substantial reduction in, a contract provided
6 under subsection (c)(1) to an employee of a contractor
7 shall have the same effect as a notice of termination to
8 such employee for the purposes of determining whether
9 such employee is eligible for training, adjustment assist-
10 ance, and employment services under section 325 or 325A
11 of the Job Training Partnership Act (29 U.S.C. 1662d,
12 1662d–1), except where the employer has specified that
13 the termination of, or substantial reduction in, the con-
14 tract is not likely to result in plant closure or mass layoff.
15 Any employee who received notice under the preceding
16 sentence shall only be eligible to receive services under sec-
17 tion 314(b) of such Act (29 U.S.C. 1661e(b)) and under
18 paragraphs (1) through (14), (16) and (18) of section
19 314(c) of such Act (29 U.S.C. 1661c(c)).

20 “(e) LOSS OF ELIGIBILITY.—An employee who re-
21 ceives notice of withdrawal or cancellation of either termi-
22 nation or substantial reduction in contract funding is not
23 eligible for training, adjustment assistance, and employ-
24 ment services under section 325 or 325A of the Job Train-
25 ing Partnership Act (29 U.S.C. 1622d, 1622d–1).

1 “(f) DEFINITIONS.—For purposes of this section:

2 “(1) The term ‘major defense program’ means
3 a program that is carried out to produce or acquire
4 a major system (as defined in section 2302(5) of
5 title 10, United States Code.)

6 “(2) The terms ‘substantial reduction’ and
7 ‘substantially reduced’ with respect to a contract
8 under a major defense program, means a reduction
9 of 25 percent or more in the total dollar value of the
10 funds obligated by the contract.”.

11 **SEC. 113. AUTHORIZES REVISIONS TO IMPROVE THE AC-**
12 **QUISITION REPORTING PROCESS FOR MAJOR**
13 **DEFENSE ACQUISITION PROGRAMS.**

14 Section 2432 of title 10, United States Code, is
15 amended—

16 (1) in subsection (c)(1)(B) by striking “pro-
17 gram acquisition unit cost” and inserting in lieu
18 thereof “procurement unit cost”;

19 (2) in subsection (e) by striking subparagraph
20 (8) and redesignating subparagraph (9) as subpara-
21 graph (8), accordingly; and

22 (3) in subsection (h) by striking subparagraph
23 (2)(D) and by redesignating subparagraphs (E) and
24 (F) as subparagraphs (D) and (E), respectively.

1 **TITLE II—RESEARCH, DEVELOP-**
2 **MENT, TEST, AND EVALUA-**
3 **TION**

4 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

5 Funds are hereby authorized to be appropriated for
6 fiscal year 1997 for the use of the Armed Forces for re-
7 search, development, test, and evaluation, as follows:

8 (1) For the Army, \$4,320,640,000.

9 (2) For the Navy, \$7,334,734,000.

10 (3) For the Air Force, \$14,417,456,000.

11 (4) For Defense-wide research, development,
12 test, and evaluation, \$8,672,842,000, of which—

13 (A) \$252,038,000 is authorized for the ac-
14 tivities of the Director, Test and Evaluation;
15 and

16 (B) \$21,968,000 is authorized for the Di-
17 rector of Operational Test and Evaluation.

18 **SEC. 202. LIVE-FIRE SURVIVABILITY TESTING OF V-22 AIR-**
19 **CRAFT.**

20 (a) **AUTHORITY FOR RETROACTIVE WAIVER.**—The
21 Secretary of Defense may exercise the waiver authority in
22 section 2366(c) of title 10, United States Code, with re-
23 spect to the application of survivability testing to the V-
24 22 aircraft, notwithstanding that the program has entered
25 engineering and manufacturing development.

1 (b) ALTERNATIVE SURVIVABILITY TEST REQUIRE-
2 MENTS.—The Secretary of Defense shall make available
3 a sufficient number of components critical to the surviv-
4 ability of the V-22 aircraft in realistic threat environ-
5 ments to conduct the alternative live-fire test program.

6 (c) FUNDING.—The funds required to carry out any
7 alternative live-fire testing program for the V-22 aircraft
8 system shall be made available from amounts appropriated
9 for the V-22 program.

10 **SEC. 203. LIVE-FIRE SURVIVABILITY TESTING OF F-22**
11 **AIRCRAFT.**

12 (a) AUTHORITY FOR RETROACTIVE WAIVER.—The
13 Secretary of Defense may exercise the waiver authority in
14 section 2366(c) of title 10, United States Code, with re-
15 spect to the application of the survivability tests of that
16 section to the F-22 aircraft, notwithstanding that such
17 program has entered full-scale engineering development.

18 (b) REPORTING REQUIREMENT.—If the Secretary of
19 Defense submits a certification under section 2366(c) of
20 such title 10 that live-fire testing of the F-22 system
21 under such section would be unreasonably expensive and
22 impractical, the Secretary of Defense shall require that
23 sufficiently large and realistic components and subsystems
24 that could affect the survivability of the F-22 system be
25 made available for any alternative live-fire test program.

1 (c) FUNDING.—The funds required to carry out any
2 alternative live-fire testing program for the F-22 aircraft
3 system shall be made available from amounts appropriated
4 for the F-22 program.

5 **SEC. 204. RESEARCH ACTIVITIES OF THE DEFENSE AD-**
6 **VANCED RESEARCH PROJECTS AGENCY.**

7 Notwithstanding section 1701 of the National De-
8 fense Authorization Act for Fiscal Year 1994 (Public Law
9 103-160; 107 Stat. 1853), the Director of the Defense
10 Advanced Research Projects Agency, for the Secretary of
11 Defense, may conduct basic and applied research and ad-
12 vanced technology development, on chemical and biological
13 warfare defense technologies and systems, independently
14 of any other component of the Department of Defense.
15 In conducting its mission of basic and applied research
16 and advanced technology development, the Advanced Re-
17 search Projects Agency should avoid unnecessary duplica-
18 tion of efforts of other components of the Department.
19 With respect to chemical and biological warfare defense
20 activities and where otherwise appropriate, coordinate its
21 activities with other components of the Department.

1 **TITLE III—OPERATION AND**
2 **MAINTENANCE**
3 **Subtitle A—Authorization of**
4 **Appropriations**

5 **SEC. 301. OPERATION AND MAINTENANCE FUNDING.**

6 Funds are hereby authorized to be appropriated for
7 fiscal year 1997 for the use of the Armed Forces of the
8 United States and other activities and agencies of the De-
9 partment of Defense, for expenses, not otherwise provided
10 for, for operation and maintenance, in amounts as follows:

11 (1) For the Army, \$18,114,479,000.

12 (2) For the Navy, \$20,196,197,000.

13 (3) For the Marine Corps, \$2,203,777,000.

14 (4) For the Air Force, \$17,913,455,000.

15 (5) For the Defense Agencies,
16 \$10,156,468,000.

17 (6) For the Army Reserve, \$1,084,436,000.

18 (7) For the Naval Reserve, \$843,927,000.

19 (8) For the Marine Corps Reserve,
20 \$99,667,000.

21 (9) For the Air Force Reserve, \$1,488,553,000.

22 (10) For the Army National Guard,
23 \$2,208,477,000.

24 (11) For the Air National Guard,
25 \$2,654,473,000.

1 (12) For the Defense Inspector General,
2 \$136,501,000.

3 (13) For Drug Interdiction and Counter-drug
4 Activities, Defense, \$642,724,000.

5 (14) For the United States Court of Appeals
6 for the Armed Forces, \$6,797,000.

7 (15) For Environmental Restoration, Army,
8 \$356,916,000.

9 (16) For Environmental Restoration, Navy,
10 \$302,900,000.

11 (17) For Environmental Restoration, Air Force,
12 \$414,700,000.

13 (18) For Environmental Restoration, Defense-
14 wide, \$258,500,000.

15 (19) For Medical Programs, Defense,
16 \$9,358,288,000.

17 (20) For Overseas Humanitarian, Disaster, and
18 Civic Aid, \$80,544,000.

19 (21) For Former Soviet Union Threat Reduc-
20 tion, \$327,900,000.

21 (22) For Payments to Kaho'olawe Island,
22 \$10,000,000.

23 **SEC. 302. WORKING CAPITAL FUNDS.**

24 Funds are hereby authorized to be appropriated for
25 fiscal year 1997 for the use of the Armed Forces of the

1 United States and other activities and agencies of the De-
2 partment of Defense for providing capital for working cap-
3 ital and revolving funds in amounts as follows:

4 (1) For the Defense Business Operations Fund,
5 \$947,900,000.

6 (2) For the National Defense Sealift Fund,
7 \$963,002,000.

8 **Subtitle B—Other Matters**

9 **SEC. 310. REMEDIES FOR CONTRACTOR EMPLOYEE WHIS-** 10 **TLEBLOWERS.**

11 Section 2409(c) of title 10, United States Code, is
12 amended—

13 (1) in subparagraph (B) by striking the period
14 at the end, inserting in lieu thereof “; or in lieu of
15 reinstatement, order the contractor to pay the per-
16 son an amount equal to the compensation (including
17 back pay) that would apply to the person in that po-
18 sition if the reprisal had not been taken and an
19 award for damages.”; and

20 (2) by adding at the end of paragraph (c)(1)
21 the following new subparagraph (D):

22 “(D) Order the contractor to reimburse
23 the agency that conducted the reprisal inves-
24 tigation an amount equal to the cost of the in-
25 vestigation.”.

1 **SEC. 311. REPEAL OF REQUIREMENT FOR PHYSICAL EXAM-**
2 **INATION ON CALLING MILITIA INTO FEDERAL**
3 **SERVICE.**

4 (a) REPEAL OF REQUIREMENT.—Section 12408 of
5 title 10, United States Code, is repealed.

6 (b) CLERICAL AGREEMENT.—The table of sections at
7 the beginning of chapter 1209 is amended by striking out
8 the item relating to section 12408.

9 **SEC. 312. TRAINING OF MILITARY PERSONNEL AT NON-**
10 **GOVERNMENT FACILITIES.**

11 (a) FINDINGS.—The Congress finds that amendment
12 to title 5 is necessary to permit acquisition of commercial
13 training courses for military personnel in a cost effective
14 manner similar to those procedures currently used for ci-
15 vilian personnel.

16 (b) PURPOSES.—The purpose of this Act is to modify
17 language in section 4105 of title 5, United States Code,
18 relating to the training of military personnel at non-gov-
19 ernment of commercial facilities. The present statutes
20 limit paying for such training prior to receipt of services,
21 even though training for civilian employees of the Govern-
22 ment has been authorized for payment in advance of serv-
23 ice for almost four decades. Amendment is needed to pro-
24 vide a streamlined procedure for the acquisition of such
25 training through the use of credit cards and electronic

1 funds transfers consistent with present commercial prac-
2 tices.

3 (c) TRAINING OF MILITARY PERSONNEL AT NON-
4 GOVERNMENT FACILITIES.—Section 4105 of title 5,
5 United States Code, is amended by adding at the end the
6 following: “The Department of Defense may make use of
7 the agreements and arrangements authorized by this sec-
8 tion as well as make payment for expenses pursuant to
9 section 4109 of this title for the training of military per-
10 sonnel at non-government facilities.”.

11 **SEC. 313. SALE OF CLEAN AIR ACT EMISSION REDUCTION**
12 **CREDITS, ALLOWANCES, OFFSETS, OR COM-**
13 **PARABLE ECONOMIC INCENTIVES.**

14 Chapter 153 of title 10, United States Code, is
15 amended—

16 (1) by adding after section 2572 the following
17 new section:

18 **“§ 2573. Sale of clean air act economic incentives**

19 “(a) The Secretary of Defense shall prescribe regula-
20 tions to provide for the sale of emission reduction credits,
21 allowances, offsets, or other comparable economic incen-
22 tives authorized by the Clean Air Act (“Clean Air Act Eco-
23 nomic Incentives”), as implemented by state laws and
24 local air quality district regulations.

1 “(b)(1) Proceeds from the sale of Clean Air Act Eco-
2 nomic Incentives at an installation shall be credited to the
3 installation operations and maintenance funds or any
4 other applicable installation funds in amounts sufficient
5 to cover the actual funding costs to the installation for
6 fees or charges incurred in connection with obtaining the
7 Clean Air Act Economic Incentives which were sold.

8 “(2) If after such funds are credited, a balance re-
9 mains, the remaining proceeds shall be available to the
10 military installation for use by the installation for any en-
11 vironmental project or program.

12 “(c) These provisions do not apply to any Clean Air
13 Act Economic Incentives derived from the closure of a
14 military installation pursuant to the Base Closure and Re-
15 alignment Act of 1988 (Public Law 100–526; 10 U.S.C.
16 2687 note), or the Defense Base Closure and Realignment
17 Act of 1990 (part A of title XXIV of Public Law 101–
18 510; 10 U.S.C. 2687 note).”; and

19 (2) in the table of sections for such chapter 153
20 by inserting after the item relating to section 2572,
21 the following new item:

“2573. Sale of clean air act economic incentives.”.

1 **SEC. 314. DEFENSE BUSINESS OPERATIONS FUND AMEND-**
2 **MENT.**

3 Section 2216(i)(1) of title 10, United States Code,
4 is amended by striking “\$50,000” and inserting in lieu
5 thereof “\$100,000”.

6 **TITLE IV—MILITARY**
7 **PERSONNEL AUTHORIZATIONS**
8 **Subtitle A—Active Forces**

9 **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

10 The Armed Forces are authorized strengths for active
11 duty personnel as of September 30, 1997, as follows:

- 12 (1) The Army, 495,000.
13 (2) The Navy, 406,900.
14 (3) The Marine Corps, 174,000.
15 (4) The Air Force, 381,100.

16 **SEC. 402. EXCLUDING CERTAIN RESERVE COMPONENT**
17 **MEMBERS ON ACTIVE DUTY FOR 181 DAYS OR**
18 **MORE FROM ACTIVE COMPONENT END**
19 **STRENGTHS.**

20 Section 115(d) of title 10, United States Code, is
21 amended by adding at the end a new paragraph (8) as
22 follows:

23 “(8) Members of reserve components on active
24 duty to perform special work in support of peacetime
25 requirements of the active components and combat-
26 ant commands for 181 days or more. The total num-

1 ber of personnel included in this category shall not
 2 exceed two-tenths of one percent of the end
 3 strengths authorized pursuant to subsection (a)(1).”.

4 **Subtitle B—Reserve Forces**

5 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

6 (a) IN GENERAL.—The Armed Forces are authorized
 7 strengths for Selected Reserve personnel of the reserve
 8 components as of September 30, 1997, as follows:

- 9 (1) The Army Reserve, 214,925.
- 10 (2) The Naval Reserve, 95,941.
- 11 (3) The Marine Corps Reserve, 42,000.
- 12 (4) The Air Force Reserve, 73,281.
- 13 (5) The Army National Guard, 366,758.
- 14 (6) The Air National Guard, 108,018.
- 15 (7) The Coast Guard Reserve, 8,000.

16 (b) WAIVER AUTHORITY.—The Secretary of Defense
 17 may vary the end strength authorized by subsection (a)
 18 by not more than 2 percent.

19 (c) ADJUSTMENTS.—The end strengths prescribed by
 20 subsection (a) for the Selected Reserve of any reserve com-
 21 ponent shall be reduced proportionately by—

- 22 (1) the total authorized strength of units orga-
 23 nized to serve as units of the Selected Reserve of
 24 such component which are on active duty (other
 25 than for training) at the end of the fiscal year, and

1 (2) the total number of individual members not
2 in units organized to serve as units of the Selected
3 Reserve of such component who are on active duty
4 (other than for training or for unsatisfactory partici-
5 pation in training) without their consent at the end
6 of the fiscal year.

7 Whenever such units or such individual members are re-
8 leased from active duty during any fiscal year, the end
9 strength prescribed for such fiscal year for the Selected
10 Reserve of such reserve component shall be increased pro-
11 portionately by the total authorized strengths of such
12 units and by the total number of such individual members.

13 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**
14 **DUTY IN SUPPORT OF THE RESERVES.**

15 Within the end strengths prescribed in section
16 402(b), the reserve components of the armed forces are
17 authorized, as of September 30, 1997, the following num-
18 ber of Reserves to be serving on full-time active duty or,
19 in the case of members of the National Guard, full-time
20 National Guard duty for the purpose of organizing, ad-
21 ministering, recruiting, instructing, or training the reserve
22 components:

23 (1) The Army Reserve, 11,475.

24 (2) The Naval Reserve, 16,506.

25 (3) The Marine Corps Reserve, 2,559.

1 (4) The Air Force Reserve, 625.

2 (5) The Army National Guard, 22,798.

3 (6) The Air National Guard, 10,129.

4 **TITLE V—MILITARY PERSONNEL**
5 **POLICY**

6 **SEC. 501. DISCHARGE OR RETIREMENT FOR YEARS OF**
7 **SERVICE OR AFTER SELECTION FOR EARLY**
8 **REMOVAL.**

9 (a) IN GENERAL.—The text of section 14514 of title
10 10, United States Code, is amended to read as follows:

11 “(a) Each reserve officer of the Army, Navy, Air
12 Force, or Marine Corps who is in an active status and
13 who is required to be removed from an active status or
14 from a reserve active-status list, as the case may be, under
15 section 14507, 14508, 14704, or 14705 of this title (un-
16 less the officer is sooner separated, the officer’s separation
17 is deferred, or the officer is continued in an active status
18 under another provision of law), in accordance with those
19 sections, shall—

20 “(1) be transferred to the Retired Reserve, if
21 the officer is qualified and applies for such transfer;
22 or

23 “(2) if the officer is not qualified or does not
24 apply for such transfer, be discharged from the offi-
25 cer’s reserve appointment.

1 “(b) Each reserve officer of the Army, Navy, Air
2 Force, or Marine Corps who is in an inactive status and
3 who is required to be removed from an inactive status—

4 “(1) shall be transferred to the Retired Re-
5 serve, if the officer is qualified and applies for such
6 transfer; or

7 “(2) may, if the officer is not qualified or does
8 not apply for such transfer, be discharged from the
9 officer’s reserve appointment.”.

10 (b) CONFORMING AMENDMENT.—Section
11 12683(b)(1) of such title 10, is amended by inserting
12 “14514,” and “12684,”.

13 **SEC. 502. APPOINTMENT ABOVE O-2 IN THE U.S. NAVAL**
14 **RESERVE.**

15 Section 12205 of title 10, United States Code, is
16 amended by amending subsection (b)(3) to read as follows:

17 “(3) The appointment in the Naval Reserve of
18 a person appointed for service under either the
19 Naval Aviation Cadet or Seaman to Admiral Pro-
20 gram.”.

21 **SEC. 503. TEST PROGRAM ON UNLIMITED USE OF COM-**
22 **MISSARY STORES BY ELIGIBLE RESERVISTS.**

23 (a) The Secretary of Defense shall carry out in one
24 or more areas of the United States a test program under
25 which those Reserve members eligible for commissary use

1 under sections 1063 and 1064 of title 10, United States
2 Code, will be permitted to use commissary stores of the
3 Department of Defense on the same basis as members on
4 active duty. The test program will begin on January 1,
5 1997, and will be conducted for a period of one year.

6 (b) The Secretary of Defense shall report the results
7 of the test program to the Congress no later than March
8 31, 1998, together with such comments and recommenda-
9 tions as he determines appropriate.

10 **SEC. 504. ACTIVE DUTY RETIREMENT SANCTUARY FOR RE-**
11 **SERVISTS.**

12 Section 12686 of title 10, United States Code, is
13 amended—

14 (1) by designating the existing matter as para-
15 graph (1); and

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

18 “(2) The regulations prescribed under para-
19 graph (1) may except from the prohibition on invol-
20 untary release in that paragraph members who serve
21 on active duty (other than for training) under sec-
22 tion 12301 of this title pursuant to orders specifying
23 a period of less than 180 days provided that the
24 member is informed of and consents to such excep-
25 tion prior to entry on active duty.”.

1 **SEC. 505. CHANGE IN TIME FOR AWARD OF DEGREE TO BE**
2 **CONSIDERED TO MEET THE SELECTED RE-**
3 **SERVE OFFICER EDUCATION REQUIREMENT.**

4 Section 12205(c)(2)(C) of title 10, United States
5 Code, is amended by striking “three” and inserting in lieu
6 thereof “eight”.

7 **SEC. 506. CLARIFICATION OF LIMITATION ON FURNISHING**
8 **CLOTHING OR ALLOWANCES FOR ENLISTED**
9 **NATIONAL GUARD TECHNICIANS.**

10 Subsection 418(c) of title 37, United States Code, is
11 amended by striking at the end of the paragraph “for
12 which a uniform allowance is paid under section 415 or
13 416 of this title”, and inserting in lieu thereof “for which
14 clothing is furnished or a uniform allowance is paid under
15 this section”.

16 **SEC. 507. USE OF ACTIVE GUARD AND RESERVE PERSON-**
17 **NEL IN COMPOSITE ACTIVE AND RESERVE**
18 **COMPONENT ACTIVITIES AND IN ACTIVITIES**
19 **AND FUNCTIONS ASSIGNED TO A RESERVE**
20 **COMPONENT ORGANIZATION.**

21 Section 12310 of title 10, United States Code, is
22 amended by adding at the end the following two new sub-
23 sections:

24 “(c) Organizing, administering, recruiting, instruct-
25 ing, or training the reserve components as used in this

1 title and in the authorizations of end strengths required
2 under section 115 of this title, includes—

3 “(1) the conduct of activities described in sec-
4 tions 3013(b), 5013(b), and 8013(b) of this title in
5 support of any part of a military department when
6 such activities have been assigned by the Secretary
7 concerned, with the consent of the Chief of the Na-
8 tional Guard Bureau or the chief of such reserve
9 component, to a reserve component organization for
10 execution; and

11 “(2) peacetime standby air defense and ballistic
12 missile defense operations within the territory of the
13 United States.

14 “(d) A reserve on duty under subsection (a) may
15 serve in, and supervise and command any other person
16 serving in a composite organization that conducts activi-
17 ties described in subsection (c) jointly in support of the
18 reserve components and the active components of one or
19 more armed services.”.

1 **Subtitle B—Officer Education**
2 **Programs**

3 **SEC. 510. EXTENSION OF AGE REQUIREMENTS FOR AP-**
4 **POINTMENT AS A CADET OR MIDSHIPMAN IN**
5 **THE SENIOR RESERVE OFFICERS' TRAINING**
6 **CORPS AND THE MILITARY DEPARTMENT**
7 **SERVICE ACADEMIES.**

8 (a) SENIOR RESERVE OFFICERS' TRAINING
9 CORPS.—Section 2107(a) of title 10, United States Code,
10 is amended by striking out “25” and inserting in lieu
11 thereof “27”.

12 (b) UNITED STATES MILITARY ACADEMY.—Section
13 4346(a) of title 10, United States Code, is amended by
14 striking out “twenty-second birthday” and inserting in
15 lieu thereof “twenty-third birthday”.

16 (c) UNITED STATES NAVAL ACADEMY.—Clause (1)
17 of section 6958(a) of title 10, United States Code, is
18 amended by striking out “twenty-second birthday” and in-
19 serting in lieu thereof “twenty-third birthday”.

20 (d) UNITED STATES AIR FORCE ACADEMY.—Section
21 9346(a) of title 10, United States Code, is amended by
22 striking out “twenty-second birthday” and inserting in
23 lieu thereof “twenty-third birthday”.

24 (e) EFFECTIVE DATE.—The amendment made by
25 subsection (a) shall take effect on the date of enactment

1 of this Act; the amendments made by subsections (b)
 2 through (d) shall take effect with regard to individuals en-
 3 tering the United States Military Academy, the United
 4 States Naval Academy, and the United States Air Force
 5 Academy after June 1, 1997.

6 **SEC. 511. EXPANSION OF SENIOR RESERVE OFFICERS'**
 7 **TRAINING CORPS ADVANCED TRAINING PRO-**
 8 **GRAM TO INCLUDE GRADUATE STUDENTS.**

9 (a) IN GENERAL.—Section 2107(c) of title 10,
 10 United States Code, is amended by inserting before the
 11 last sentence the following new penultimate sentence:
 12 “The Secretary of the military department concerned may
 13 provide similar financial assistance to a student enrolled
 14 in an advanced education program beyond the bacca-
 15 laurate degree level provided the student also is a cadet
 16 or midshipman in an advanced training program.”.

17 (b) CONFORMING AMENDMENT.—Paragraph (2) of
 18 subsection (h) of such section 2107 is amended in the first
 19 sentence—

20 (1) by striking out “two years” and inserting in
 21 lieu thereof “up to two years”, and

22 (2) by striking out “four years” and inserting
 23 in lieu thereof “up to four years”.

24 (c) DEFINITIONAL CHANGE.—Paragraph (3) of sec-
 25 tion 2101 of title 10, United States Code, is amended by

1 inserting “students enrolled in an advanced education pro-
 2 gram beyond the baccalaureate degree level or to” after
 3 “instruction offered in the Senior Reserve Officers’ Train-
 4 ing Corps to”.

5 **Subtitle C—Other Matters**

6 **SEC. 515. CLARIFYING DEFINITION OF ACTIVE STATUS.**

7 The definition of “active status” in section 101(d)(4)
 8 of title 10, United States Code, is amended by striking
 9 out “a reserve commissioned officer, other than a commis-
 10 sioned warrant officer”; and inserting in lieu thereof the
 11 following: “a member of a reserve component”.

12 **SEC. 516. CHIEF WARRANT OFFICER PROMOTIONS.**

13 (a) REDUCTION OF MINIMUM TIME IN GRADE RE-
 14 QUIRED FOR CHIEF WARRANT OFFICER TO BE CONSID-
 15 ERED FOR PROMOTION.—Section 574(e) of title 10,
 16 United States Code, is amended by striking out “three”
 17 and inserting in lieu thereof “two”;

18 (b) AUTHORIZATION OF BELOW-ZONE SELECTION
 19 FOR PROMOTION TO GRADE OF CHIEF WARRANT OFFI-
 20 CER.—Section 575(b) of such title 10 is amended by in-
 21 serting “chief warrant officer, W-3,” after “to consider
 22 warrant officers for selection for promotion to the grade
 23 of”.

1 **SEC. 517. REVISIONS TO MISSING PERSONS AUTHORITIES.**

2 (a) REPEAL OF JUDICIAL REVIEW AND
3 PREENACTMENT, SPECIAL INTEREST CASES PROVI-
4 SIONS.—Sections 1508 and 1509 of title 10, United States
5 Code, are hereby repealed.

6 (b) TRANSMISSION THROUGH THEATER COMPONENT
7 COMMANDER.—(1) Section 1502 of title 10, United States
8 Code, is amended—

9 (A) in subsection (a)(2)—

10 (i) by striking “48 hours” and insert-
11 ing in lieu thereof “10 days”; and

12 (ii) by striking “theater component
13 commander” and inserting in lieu thereof
14 “Secretary concerned”;

15 (B) by striking out subsection (b);

16 (C) by redesignating subsection (c) as sub-
17 section (b); and

18 (D) in subsection (b), as so redesignated, by
19 striking “The theater component commander” and
20 all that follows to the end of the subsection.

21 (2) Section 1503(a) of such title is amended by strik-
22 ing “1502(b)” and inserting in lieu thereof “1502(a)”.

23 (3) Section 1513 of such title 10 is amended by strik-
24 ing out paragraph (8).

25 (c) COUNSEL FOR MISSING PERSON.—(1) Section
26 1503 of title 10, United States Code, is amended—

1 (A) by striking subsection (f);

2 (B) by redesignating subsections (g), (h), (i),
3 (j), and (k) as subsections (f), (g), (h), (i) and (j),
4 respectively;

5 (C) in subsection (g)(C)(3), as so redesignated,
6 by striking “(j)” and inserting in lieu thereof “(i)”;

7 (D) in subsection (j), as so redesignated—

8 (i) by striking “(i)” and inserting in lieu
9 thereof “(h)”;

10 (ii) in paragraph (1)(B) by striking “(h)”
11 and inserting in lieu thereof “(g)”;

12 (E) in subsection (k), as so redesignated, by
13 striking “(i)” and inserting in lieu thereof “(h)”.

14 (2) Section 1504 of such title is amended—

15 (A) in subsection (a) by striking “(i)” and in-
16 serting in lieu thereof “(h)”;

17 (B) by striking subsection (f);

18 (C) by redesignating subsections (g), (h), (i),
19 (j), (k), (l) and (m) as subsections (f), (g), (h), (i),
20 (j), (k) and (l), respectively;

21 (D) in subsection (g)(3)(A), as so redesignated,
22 by striking “and the counsel for the missing person
23 appointed under subsection (f)”;

24 (E) in subsection (j), as so redesignated—

1 (i) in paragraph (1) by striking “(j)” and
2 inserting in lieu thereof “(i)”;

3 (ii) by striking paragraph (1)(B);

4 (iii) by redesignating paragraph (1)(C) as
5 paragraph (1)(B);

6 (iv) in paragraph (1)(B), as so redesign-
7 dated, by striking “(g)(5)” inserting in lieu
8 thereof “(f)(5)”;

9 (v) in paragraph (2) by striking “(C)” and
10 inserting in lieu thereof “(B)”;

11 (F) in subsection (k), as so redesignated, by
12 striking “(k)” and inserting in lieu thereof “(j)”;
13 and

14 (G) in subsection (l), as so redesignated, by
15 striking “(k)” and inserting in lieu thereof “(j)”.

16 (3) Section 1505(c) of such title is amended—

17 (A) in paragraph (2) by striking “(A) the des-
18 ignated missing person’s counsel for that person,
19 and (B)”;

20 (B) in paragraph (3) by striking “with the ad-
21 vice of the missing person’s counsel notified under
22 paragraph (2),”.

23 (d) THREE YEAR REVIEWS.—Section 1505 of title
24 10, United States Code, is amended by striking subsection
25 (b) and inserting in lieu thereof:

1 “(b) FREQUENCY OF SUBSEQUENT REVIEWS.—The
2 Secretary shall appoint a board to conduct an inquiry with
3 respect to a missing person under this subsection upon
4 receipt of information that may result in a change of sta-
5 tus of the missing person.”.

6 (e) WRONGFUL WITHHOLDING.—Section 1506 of
7 title 10, United States Code, is amended—

8 (1) by striking subsection (e); and

9 (2) by redesignating subsection (f) as sub-
10 section (e), respectively.

11 (f) RECOMMENDATION ON STATUS OF DEATH.—Sec-
12 tion 1507(b) of title 10, United States Code, is amended
13 by striking paragraphs (3) and (4).

14 (g) DEPARTMENT OF DEFENSE CIVILIAN EMPLOY-
15 EES AND CONTRACTOR EMPLOYEES.—Section 1501(c) of
16 title 10, United States Code, is amended—

17 (1) by striking “the following persons: (1) Any”
18 and inserting in lieu thereof “any”; and

19 (2) by striking paragraph (2).

20 (h) CLERICAL AMENDMENT.—The table of sections
21 at the beginning of chapter 76 of title 10, United States
22 Code, is amended by striking the items referring to sec-
23 tions 1508 and 1509.

1 **SEC. 518. AUTHORITY FOR TEMPORARY PROMOTIONS OF**
2 **CERTAIN NAVY LIEUTENANTS.**

3 Section 5721 of title 10, United States Code, is
4 amended by striking subsection (g).

5 **SEC. 519. EXTENSION IN THE DELAYED ENTRY PROGRAM**
6 **OF UP TO 180 DAYS FOR MERITORIOUS**
7 **CASES.**

8 Section 513(b) of title 10, United States Code, is
9 amended—

10 (1) by adding after the first sentence the follow-
11 ing new sentence: “The Secretary concerned may ex-
12 tend the above 365-day limitation period for a per-
13 son in the delayed entry program for up to an addi-
14 tional 180 days when he or she considers it expedi-
15 ent to do so.”; and

16 (2) in the last sentence by striking out “the
17 preceding sentence” and inserting in lieu thereof
18 “under this section”.

19 **SEC. 520. AMENDMENT AUTHORIZING SENIOR ENLISTED**
20 **MEMBERS OF THE ARMED FORCES TO REEN-**
21 **LIST FOR AN INDEFINITE PERIOD OF TIME.**

22 Section 505(d) of title 10, United States Code, is
23 amended to read as follows:

24 “(d) For members with less than 10 years of service,
25 the Secretary concerned may accept reenlistments in the
26 Regular Army, Regular Navy, Regular Air Force, Regular

1 Marine Corps, or Regular Coast Guard, as the case may
 2 be, for periods of at least two but not more than six years.
 3 At the discretion of the Secretary concerned, members
 4 with 10 or more years of service reenlisting in the Regular
 5 Army, Regular Navy, Regular Air Force, Regular Marine
 6 Corps, or Regular Coast Guard, as the case may be, who
 7 meet all qualifications for continued service, may be ac-
 8 cepted for reenlistment of an unspecified period of time
 9 on a career basis. Such person will be required to continue
 10 to maintain minimum qualifications, as prescribed by the
 11 Secretary concerned for continued service.”.

12 **SEC. 521. EXCHANGE OF PERSONNEL OF THE DEPARTMENT**
 13 **OF DEFENSE WITH FOREIGN DEFENSE DE-**
 14 **PARTMENTS OR MINISTRIES.**

15 (a) IN GENERAL.—Subchapter II of chapter 138 of
 16 title 10, United States Code, is amended by inserting after
 17 section 2350j the following new section:

18 **“§ 2350k. Exchange of personnel of the Department of**
 19 **Defense with foreign defense depart-**
 20 **ments or ministries**

21 “(a) The Secretary of Defense may enter into such
 22 agreements with the governments of allied and other
 23 friendly countries for the exchange of military and civilian
 24 personnel of the United States Department of Defense
 25 and such personnel of the defense departments or min-

1 istries of such foreign governments. Pursuant to these
2 agreements, personnel of foreign defense departments or
3 ministries may be assigned to positions (including posi-
4 tions as instructors) in the United States Department of
5 Defense, and personnel of the United States Department
6 of Defense may be assigned to positions in foreign defense
7 departments or ministries (including positions as instruc-
8 tors). In the case of agreements for the exchange of per-
9 sonnel engaged in research and development activities,
10 such agreements may provide for assignments which sup-
11 port the foreign defense departments or ministries. The
12 specific positions and the individuals to be assigned must
13 be acceptable to both governments. These agreements
14 shall be based on the principle of reciprocity such that per-
15 sonnel provided are of essentially equal qualifications,
16 training, and skill and the benefits to accrue to each gov-
17 ernment are substantially equal. Salary, per diem, cost of
18 living, travel, cost of language training or other training,
19 and other costs (except for the cost of temporary duty di-
20 rected by the host government, training programs to fa-
21 miliarize, orient or certify exchange personnel on unique
22 aspects of their assignments, and costs incident to the use
23 of host government facilities in the performance of as-
24 signed duties), shall be paid by each government for its
25 own personnel in accordance with its laws and regulations.

1 “(b) Personnel of foreign defense departments or
 2 ministries assigned to the United States Department of
 3 Defense and United States Department of Defense per-
 4 sonnel assigned to a foreign defense department or min-
 5 istry under subsection (a) shall not be required to take
 6 an oath of allegiance to the host nation and shall hold
 7 no position of an official capacity in such host nation.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
 9 at the beginning of such subchapter is amended by adding
 10 at the end the following new item:

“2350k. Exchange of personnel of the Department of Defense with foreign de-
 fense departments or ministries.”.

11 **TITLE VI—COMPENSATION AND**
 12 **OTHER PERSONNEL BENEFITS**
 13 **Subtitle A—Pay and Allowances**

14 **SEC. 601. MILITARY PAY RAISE FOR FISCAL YEAR 1997.**

15 (a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any
 16 adjustment required by section 1009 of title 37, United
 17 States Code, in elements of compensation of members of
 18 the uniformed services to become effective during fiscal
 19 year 1997 shall not be made.

20 (b) INCREASE IN BASIC PAY, BAS, AND BAQ.—Ef-
 21 fective on January 1, 1997, the rates of basic pay, basic
 22 allowance for subsistence, and basic allowance for quarters
 23 of members of the uniformed services are increased by 3.0
 24 percent.

1 **SEC. 602. RESTRICTION ON ENTITLEMENT TO BASIC AL-**
 2 **LOWANCE FOR QUARTERS FOR RESERVE**
 3 **COMPONENT MEMBERS.**

4 Section 403(a) of title 37, United States Code, is
 5 amended by adding at the end of paragraph (1) the follow-
 6 ing new sentence: “A member of the Ready Reserve who
 7 is serving on active duty for a period of fifteen days or
 8 less and who is provided government quarters is not enti-
 9 tled to a basic allowance for quarters unless accompanied
 10 by his dependents.”.

11 **SEC. 603. CONTINUOUS BAQ/VHA FOR SINGLE MEMBERS**
 12 **WHO PCS TO DEPLOYED UNIT; AUTHORIZA-**
 13 **TION TO QUARTERS ASHORE (EITHER ADE-**
 14 **QUATE OR INADEQUATE), OR BASIC ALLOW-**
 15 **ANCE FOR QUARTERS FOR E-5 MEMBERS,**
 16 **WITHOUT DEPENDENTS, ASSIGNED TO SEA**
 17 **DUTY; AND BAQ/VHA FOR SHIPBOARD MILI-**
 18 **TARY COUPLES.**

19 Section 403(c)(2) of title 37, United States Code, is
 20 amended—

21 (1) at the beginning of the first sentence by
 22 striking “A member” and inserting in lieu thereof
 23 “Except as otherwise provided in this paragraph, a
 24 member”; and

25 (2) by striking the second sentence and insert-
 26 ing in lieu thereof “Under regulations of the Sec-

1 retary concerned that must consider the availability
2 of quarters, such Secretary may authorize payment
3 of the basic allowance for quarters to a member of
4 a uniformed service under the Secretary's jurisdic-
5 tion when the member is without dependents, is
6 serving in pay grade E-5, and is assigned to sea
7 duty. Two members of the uniformed services in pay
8 grades below E-6, who are married to each other
9 and have no other dependents, and who are simulta-
10 neously assigned to sea duty on ships are entitled to
11 a basic allowance for quarters (equal to the with de-
12 pendents rate of the pay grade of the senior member
13 only).”.

14 (b) The amendments made by this section shall be-
15 come effective July 1, 1997. With the approval of the Sec-
16 retary of Defense, if funds are available for such purpose,
17 the Secretary of a Military Department may implement
18 such amendments on an appropriate date following the
19 date of enactment of this Act.

20 **SEC. 604. ADJUSTMENTS IN CADET AND MIDSHIPMEN PAY.**

21 Section 203(c) of title 37, United States Code, is
22 amended by striking paragraph (2) in its entirety and
23 “(1)” at the beginning of the subsection.

1 **Subtitle B—Extension of Bonus**
2 **and Incentive Pays**

3 **SEC. 605. EXTENSION OF AUTHORITY RELATING TO PAY-**
4 **MENT OF OTHER BONUSES AND SPECIAL**
5 **PAYS.**

6 (a) AVIATION OFFICER RETENTION BONUS.—Sec-
7 tion 301b(a) of title 37, United States Code, is amended
8 by striking out “September 30, 1997,” and inserting in
9 lieu thereof “September 30, 1999”.

10 (b) REENLISTMENT BONUS FOR ACTIVE MEM-
11 BERS.—Section 308(g) of title 37, United States Code, is
12 amended by striking out “September 30, 1997” and in-
13 serting in lieu thereof “September 30, 1999”.

14 (c) ENLISTMENT BONUSES FOR CRITICAL SKILLS.—
15 Sections 308a(c) and 308f(e) of title 37, United States
16 Code, are each amended by striking out “September 30,
17 1997” and inserting in lieu thereof “September 30,
18 1999”.

19 (d) SPECIAL PAY FOR ENLISTED MEMBERS OF THE
20 SELECTED RESERVE ASSIGNED TO CERTAIN HIGH PRI-
21 ORITY UNITS.—Section 308d(c) of title 37, United States
22 Code, is amended by striking out “September 30, 1997”
23 and inserting in lieu thereof “September 30, 1999”.

24 (e) REPAYMENT OF EDUCATION LOANS FOR CER-
25 TAIN HEALTH PROFESSIONALS WHO SERVE IN THE SE-

1 LECTED RESERVE.—Section 16302(d) of title 10, United
2 States Code, is amended by striking out “October 1,
3 1997” and inserting in lieu thereof “October 1, 1999”.

4 (f) SPECIAL PAY FOR CRITICALLY SHORT WARTIME
5 HEALTH SPECIALISTS IN THE SELECTED RESERVES.—
6 Section 302g(f) of title 37, United States Code, is amend-
7 ed by striking out “September 30, 1997” and inserting
8 in lieu thereof “September 30, 1999”.

9 (g) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFI-
10 CERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section
11 312(e) of title 37, United States Code, is amended by
12 striking out “September 30, 1997” and inserting in lieu
13 thereof “September 30, 1999”.

14 (h) NUCLEAR CAREER ACCESSION BONUS.—Section
15 312b(e) of title 37, United States Code, is amended by
16 striking out “September 30, 1997” and inserting in lieu
17 thereof “September 30, 1999”.

18 (i) NUCLEAR CAREER ANNUAL INCENTIVE BONUS.—
19 Section 312c(d) of title 37, United States Code, is amend-
20 ed by striking out “October 1, 1997” and inserting in lieu
21 thereof “October 1, 1999”.

22 **SEC. 606. EXTENSION OF CERTAIN BONUSES FOR RESERVE**
23 **FORCES.**

24 (a) SELECTED RESERVE REENLISTMENT BONUS.—
25 Section 308b(f) of title 37, United States Code, is amend-

1 ed by striking out “September 30, 1997” and inserting
2 in lieu thereof “September 30, 1999”.

3 (b) **SELECTED RESERVE ENLISTMENT BONUS.**—Sec-
4 tion 308c(e) of title 37, United States Code, is amended
5 by striking out “September 30, 1997” and inserting in
6 lieu thereof “September 30, 1999”.

7 (c) **SELECTED RESERVE AFFILIATION BONUS.**—Sec-
8 tion 308e(e) of title 37, United States Code, is amended
9 by striking out “September 30, 1997” and inserting in
10 lieu thereof “September 30, 1999”.

11 (d) **READY RESERVE ENLISTMENT AND REENLIST-**
12 **MENT BONUS.**—Section 308h(g) of title 37, United States
13 Code, is amended by striking out “September 30, 1997”
14 and inserting in lieu thereof “September 30, 1999”.

15 (e) **PRIOR SERVICE ENLISTMENT BONUS.**—Section
16 308i(i) of title 37, United States Code, is amended by
17 striking out “September 30, 1997” and inserting in lieu
18 thereof “September 30, 1999”.

19 **SEC. 607. EXTENSION AND MODIFICATION OF CERTAIN BO-**
20 **NUSES AND SPECIAL PAY FOR NURSE OFFI-**
21 **CER CANDIDATES, REGISTERED NURSES AND**
22 **NURSE ANESTHETISTS.**

23 (a) **NURSE OFFICER CANDIDATE ACCESSION PRO-**
24 **GRAM.**—Section 2130a(a)(1) of title 10, United States

1 Code, is amended by striking out “September 30, 1997”
 2 and inserting in lieu thereof “September 30, 1999”.

3 (b) **ACCESSION BONUS FOR REGISTERED NURSES.**—
 4 Section 302d(a)(1) of title 37, United States Code, is
 5 amended by striking out “September 30, 1997” and in-
 6 serting in lieu thereof “September 30, 1999”.

7 (c) **INCENTIVE SPECIAL PAY FOR NURSE ANES-**
 8 **THETISTS.**—Section 302e(a)(1) of title 37, United States
 9 Code, is amended by striking out “September 30, 1997”
 10 and inserting in lieu thereof “September 30, 1999”.

11 **Subtitle C—Travel and** 12 **Transportation Allowances**

13 **SEC. 610. ROUND-TRIP TRAVEL ALLOWANCES FOR SHIP-** 14 **PING MOTOR VEHICLES AT GOVERNMENT EX-** 15 **PENSE.**

16 (a) **IN GENERAL.**—Section 406(b)(1)(B) of title 37,
 17 United States Code, is amended as follows:

18 (1) in clause (i)(I) by inserting “, including re-
 19 turn travel to the old duty station,” after “nearest
 20 the old duty station”; and

21 (2) in subparagraph (ii) by inserting “, includ-
 22 ing travel from the new duty station to the port of
 23 debarkation to pick up the vehicle” after “to the new
 24 duty station”.

1 (b) EFFECTIVE DATE.—The amendments made by
 2 this section shall become effective July 1, 1997. With the
 3 approval of the Secretary of Defense, if funds are available
 4 for such purpose, the Secretary of a Military Department
 5 may implement such amendments at an earlier date fol-
 6 lowing the date of enactment of this Act.

7 **SEC. 611. AUTHORITY TO REIMBURSE DEPARTMENT OF DE-**
 8 **FENSE DOMESTIC DEPENDENT-SCHOOL-**
 9 **BOARD MEMBERS FOR CERTAIN PROGRAMS**
 10 **AND ACTIVITIES.**

11 Section 2164(d) of title 10, United States Code, is
 12 amended by adding at the end a new paragraph (7) as
 13 follows:

14 “(7) The Secretary may provide for reimburse-
 15 ment to a school board member for travel and trans-
 16 portation expenses, to include program and activity
 17 fees, that the Secretary determines are reasonable
 18 and necessary to the performance of school board
 19 duties.”.

20 **SEC. 612. STORAGE OF A MOTOR VEHICLE IN LIEU OF**
 21 **TRANSPORTATION.**

22 (a) Section 2634 of title 10, United States Code, is
 23 amended—

24 (1) by redesignating subsections (b) and (c) as
 25 subsections (c) and (d), respectively; and

1 (2) by adding a new subsection (b) as follows:

2 “(b) In lieu of transportation authorized by this sec-
3 tion, if a member is ordered to a foreign country, and the
4 laws, regulations, or other restrictions imposed by the for-
5 eign country or the United States Government preclude
6 entry or require extensive modification as a condition to
7 entry of the member’s (or a dependent of the member’s)
8 motor vehicle into such country, such member may elect
9 storage at the expense of the United States, to include
10 authorized costs associated with the delivery of the motor
11 vehicle for storage and removal for delivery to the next
12 authorized destination.”.

13 (b) Clause (h)(1)(B) of section 406 of title 37, United
14 States Code, is amended to read as follows:

15 “(B) in the case of a member described in
16 paragraph 2(A), authorize the transportation of
17 one motor vehicle that is owned by the member
18 (or a dependent of a member) and is for his de-
19 pendent’s personal use to that location by
20 means of transportation authorized under sec-
21 tion 2634 of title 10, or storage of such motor
22 vehicle as authorized under said section.”.

23 (c) The amendments made by this section shall be-
24 come effective July 1, 1997. With the approval of the Sec-
25 retary of Defense, if funds are available for such purpose,

1 the Secretary of a Military Department may implement
 2 such amendments earlier than July 1, 1997, but not ear-
 3 lier than the date of enactment of this Act.

4 **SEC. 613. REPEAL OF PROHIBITION ON PAYMENT OF LODG-**
 5 **ING EXPENSES WHEN ADEQUATE GOVERN-**
 6 **MENT QUARTERS ARE AVAILABLE.**

7 Section 1589 of title 10, United States Code, is re-
 8 pealed.

9 **Subtitle D—Retired Pay, Survivor**
 10 **Benefits, and Related Matters**

11 **SEC. 615. EFFECTIVE DATE FOR MILITARY RETIREE COST-**
 12 **OF-LIVING ADJUSTMENT FOR FISCAL YEAR**
 13 **1998.**

14 (a) ADJUSTMENT OF EFFECTIVE DATE.—Subpara-
 15 graph (B) of section 1401a(b)(2) of title 10, United States
 16 Code, is amended to read as follows:

17 “(B) SPECIAL RULE FOR FISCAL YEAR
 18 1996.—In the case of the increase in retired pay
 19 that, pursuant to paragraph (1), becomes effec-
 20 tive on December 1, 1995, the initial month for
 21 which such increase is payable as part of such
 22 retired pay shall (notwithstanding such Decem-
 23 ber 1 effective date) be March 1996.”.

24 (b) REPEAL OF CONTINGENT ALTERNATIVE DATE
 25 FOR FISCAL YEAR 1998.—Section 631 of the National

1 Defense Authorization Act for Fiscal Year 1996 (Public
2 Law 104–106; 110 Stat. 364) is amended by striking sub-
3 section (b) and further, by redesignating subsection (c) as
4 the new subsection (b).

5 **SEC. 616. CLARIFYING USE OF MILITARY MORALE, WEL-**
6 **FARE, AND RECREATION FACILITIES BY RE-**
7 **TIRED RESERVISTS.**

8 Section 1065(a) of title 10, United States Code, is
9 amended by striking out the last sentence and inserting
10 in lieu thereof the following: “Such use by members of
11 the Selected Reserve, and the dependents of such mem-
12 bers, shall be permitted on the same basis as members
13 on active duty. Such use by members who would be eligible
14 for retired pay under chapter 67 of this title but for the
15 fact that the members are under 60 years of age, and the
16 dependents of such members, shall be on the same basis
17 as members who retired after serving 20 or more years
18 on active duty.”.

19 **SEC. 617. AUTHORIZATION FOR SURVIVORS OF MEMBERS**
20 **OF THE UNIFORMED SERVICES TO RECEIVE A**
21 **PAYMENT UPON DEATH OF A MEMBER FOR**
22 **ALL ACCRUED LEAVE.**

23 (a) IN GENERAL.—Section 501(d) of title 37, United
24 States Code, is amended—

25 (1) by striking out paragraph (d)(2);

1 (2) by redesignating paragraph (d)(1) as sub-
2 section (d); and

3 (3) by striking out the third sentence in sub-
4 section (d), as redesignated, and inserting in lieu
5 thereof the following: “The limitations of the second
6 sentence of subsection (b)(3), subsection (f), and the
7 second sentence of subsection (g) shall not apply
8 with respect to a payment made under this sub-
9 section.”

10 (b) CONFORMING AMENDMENT.—Section 501(f) of
11 such title is amended by striking out “, (d),” in the same
12 sentence.

13 (c) EFFECTIVE DATE.—The amendments made by
14 this section shall take effect on October 1, 1996.

15 **Subtitle E—Other Matters**

16 **SEC. 620. DISABILITY COVERAGE FOR OFFICERS GRANTED** 17 **EXCESS LEAVE FOR EDUCATIONAL** 18 **PURPOSES.**

19 (a) ELIGIBILITY FOR RETIREMENT.—Section 1201
20 of title 10, United States Code, is amended by striking
21 in the first sentence “Upon a determination” and all that
22 follows to the first dash and inserting in lieu thereof the
23 following: “Upon a determination by the Secretary con-
24 cerned that a member of a regular component of the
25 armed forces entitled to basic pay, or any other member

1 of the armed forces entitled to basic pay who has been
2 called or ordered to active duty (other than for training
3 under section 10148(a) of this title) for a period of more
4 than 30 days, or a member of a regular component of the
5 armed forces who, while on active duty, is not entitled to
6 basic pay because he is authorized by the Secretary con-
7 cerned under section 502(b) of title 37 to participate in
8 an educational program, is unfit to perform the duties of
9 his office, grade, rank, or rating because of physical dis-
10 ability incurred while entitled to basic pay, or while not
11 entitled to basic pay because he is authorized by the Sec-
12 retary concerned under section 502(b) of title 37 to par-
13 ticipate in an educational program, the Secretary may re-
14 tire the member, with retired pay computed under section
15 1401 of this title, if the Secretary also determines that”.

16 (b) ELIGIBILITY FOR PLACEMENT ON TEMPORARY
17 DISABILITY RETIREMENT LIST.—Section 1202 of title 10,
18 United States Code, is amended by inserting “or a mem-
19 ber of a regular component of the armed forces who, while
20 on active duty, is not entitled to basic pay because he is
21 authorized by the Secretary concerned under section
22 502(b) of title 37 to participate in an educational pro-
23 gram,” after “for a period of more than 30 days,”.

24 (c) ELIGIBILITY FOR SEPARATION.—Section 1203 of
25 title 10, United States Code, is amended by striking in

1 the first sentence “Upon a determination” and all that
2 follows to the first dash and inserting in lieu thereof the
3 following: “Upon a determination by the Secretary con-
4 cerned that a member of a regular component of the
5 armed forces entitled to basic pay, or any other member
6 of the armed forces entitled to basic pay who has been
7 called or ordered to active duty (other than for training
8 under section 10148(a) of this title) for a period of more
9 than 30 days, or a member of a regular component of the
10 armed forces who, while on active duty, is not entitled to
11 basic pay because he is authorized by the Secretary con-
12 cerned under section 502(b) of title 37 to participate in
13 an educational program, is unfit to perform the duties of
14 his office, grade, rank, or rating because of physical dis-
15 ability incurred while entitled to basic pay, or while not
16 entitled to basic pay because he is authorized by the Sec-
17 retary concerned under section 502(b) of title 37 to par-
18 ticipate in an educational program, the member may be
19 separated from his armed force with severance pay com-
20 puted under section 1212 of this title, if the Secretary also
21 determines that—”.

22 (d) EFFECTIVE DATE.—The amendments made by
23 this section shall take effect on the date of the enactment
24 of this Act and apply with respect to physical disabilities
25 incurred on or after such date.

1 **SEC. 621. AMENDMENTS TO THE UNIFORMED SERVICES**
2 **FORMER SPOUSES' PROTECTION ACT.**

3 Section 1408 of title 10, United States Code, is
4 amended as follows:

5 (1) In subsection (b)(1), by striking out “cer-
6 tified or registered mail, return receipt requested” in
7 paragraph (A) and inserting in lieu thereof, “fac-
8 simile or electronic transmission, mail”.

9 (2) In subsection (e)—

10 (A) by adding after subparagraph (3) the
11 following new subparagraph (4):

12 “(4) An order modifying or clarifying the origi-
13 nal court order upon which payments under this sec-
14 tion are based and issued by a state other than the
15 state issuing the original court order shall not be
16 honored unless the court modifying or clarifying the
17 original court order is found to have jurisdiction
18 over both the member and former spouse in accord-
19 ance with the guidance set forth in subsection
20 (c)(4).”; and

21 (B) by redesignating subparagraphs (4),
22 (5), and (6), as subparagraphs (5), (6), and
23 (7), respectively.

24 (3) In subsection (h), by amending subpara-
25 graph (10)(A) to read as follows:

1 “(10)(A) For purposes of this subsection, in the
2 case of a member of the armed services who has
3 been sentenced by a court-martial to receive punish-
4 ment that will terminate the eligibility of that mem-
5 ber to receive retired pay if executed, the eligibility
6 of that member to receive retired pay may, as deter-
7 mined by the Secretary concerned, be considered ter-
8 minated effective either upon the approval of that
9 sentence by the person acting under section 860(c)
10 of this title (article 60(c) of the Uniform Code of
11 Military Justice), or upon the discharge of the mem-
12 ber from the uniformed services.”.

13 **SEC. 622. PROGRAM IMPROVEMENTS: TROOPS-TO-TEACH-**
14 **ERS PROGRAM.**

15 (a) SEPARATED MEMBERS OF THE ARMED
16 FORCES.—Section 1151 of title 10, United States Code,
17 is amended—

18 (1) in subsection (a), by striking out “may es-
19 tablish” inserting in lieu thereof “shall establish”;

20 (2) in subsection (f)(2), by striking out “five
21 school years” each place it appears (once in sub-
22 paragraph (A) and once in subparagraph (B)) and
23 inserting in lieu thereof, in each instance, “two
24 school years”;

25 (3) in subsection (g)(2)—

1 (A) by striking out the comma after “sec-
2 tion 1174a of this title” inserting in lieu thereof
3 “or”; and

4 (B) by striking out “, or retires pursuant
5 to the authority provided in section 4403 of the
6 National Defense Authorization Act for Fiscal
7 Year 1993 (Public Law 102–484; 10 U.S.C.
8 1293 note)”; and
9 (4) in subsection (h)(3)—

10 (A) in subparagraph (A), by striking out
11 “five consecutive school years” inserting in lieu
12 thereof “two consecutive school years”;

13 (B) in clause (B)(i), by striking out
14 “\$25,000” inserting in lieu thereof “\$17,000”;

15 (C) in clause (B)(ii), by striking out “40
16 percent” and “\$10,000” inserting in lieu there-
17 of “25 percent” and “\$8,000”, respectively; and

18 (D) by striking out clauses (BB)(iii)
19 through (B)(v).

20 (b) SEPARATED CIVILIAN EMPLOYEES OF THE DE-
21 PARTMENT OF DEFENSE.—Section 1598 of such title is
22 amended—

23 (1) in subsection (a), by striking out “may es-
24 tablish” and inserting in lieu thereof “shall estab-
25 lish”; and

1 (2) in subsection (d)(2), by striking out “five
2 school years” each place it appears (once in sub-
3 paragraph (A) and once in subparagraph (B)) and
4 inserting in lieu thereof, in each instance, “two
5 school years”.

6 (c) DISPLACED DEPARTMENT OF DEFENSE CON-
7 TRACTOR EMPLOYEES.—Paragraph (2) of section
8 2410j(d) of such title is amended by striking out “five
9 school years” each place it appears (once in subparagraph
10 (A) and once in subparagraph (B)) and inserting in lieu
11 thereof, in each instance, “two school years”.

12 **SEC. 623. TRAVEL AND TRANSPORTATION ALLOWANCES:**
13 **TRAVEL PERFORMED IN CONNECTION WITH**
14 **LEAVE BETWEEN CONSECUTIVE OVERSEAS**
15 **TOURS.**

16 (a) ADDITIONAL DEFERRAL.—Paragraph (2) of sub-
17 section 411b(a) of title 37, United States Code, is amend-
18 ed by inserting at the end the following new sentence:
19 “Notwithstanding the limitation in the preceding sentence,
20 a member who is unable to travel under this provision
21 prior to completion of the one year period after the date
22 the member begins the consecutive overseas tour of duty
23 or arrives at a new duty station due to participation in
24 a critical operational mission, as determined by the Service
25 Secretaries or their designated representatives, may,

1 under the uniform regulations referred to in paragraph
2 (1), defer that travel for a period not to exceed one year
3 after assignment from the critical operational mission that
4 precluded the travel.”.

5 (b) EFFECTIVE DATE.—The amendment made by
6 this section shall be effective for all members participating
7 in critical operational missions on or after 1 November
8 1995.

9 **SEC. 624. PAY AND ALLOWANCES FOR OVERSEAS DUTY OF**
10 **DEPARTMENT OF DEFENSE CIVILIAN EM-**
11 **PLOYEES.**

12 (a) Chapter 81 of title 10, United States Code, is
13 amended (a) by adding at the end the following new sec-
14 tion:

15 **“§ 1600. Pay and allowances for overseas duty of De-**
16 **partment of Defense civilian personnel**

17 “Notwithstanding any other provision of law, the Sec-
18 retary of Defense is authorized to pay civilian personnel
19 of the Department of Defense, who are stationed outside
20 the United States and designated for the purpose of this
21 section, allowances and benefits comparable to those au-
22 thorized to be paid to members of the Foreign Service
23 under section 904 of title I of the Foreign Service Act
24 of 1980, (22 U.S.C. 4084). The Secretary may enter into
25 agreements with other Departments as may be necessary

1 to administer the benefits and allowances authorized by
2 this section.”

3 (b) The table of sections at the beginning of such
4 chapter is amended by inserting after the item relating
5 to section 1599 the following new item:

“1600. Pay and allowances for overseas duty of Department of Defense civilian
personnel.”.

6 **TITLE VII—HEALTH CARE**
7 **PROVISIONS**

8 **SEC. 701. TECHNICAL REVISION TO CHAMPUS PAYMENT**
9 **LIMITS FOR TRICARE PRIME ENROLLEES.**

10 Section 1079(h)(4) of title 10, United States Code,
11 is amended in the second sentence by striking “emer-
12 gency”.

13 **SEC. 702. ALTERNATIVE TO ACTIVE DUTY SERVICE OBLIGA-**
14 **TION UNDER HEALTH PROFESSIONS SCHOL-**
15 **ARSHIP AND FINANCIAL ASSISTANCE PRO-**
16 **GRAM.**

17 (a) ALTERNATIVE OBLIGATION.—Section 2123(e) of
18 title 10, United States Code, is amended to read as fol-
19 lows:

20 “(e) Any member of the program relieved of his or
21 her active duty obligation under this subchapter before the
22 completion of each obligation may, under regulations pre-
23 scribed by the Secretary of Defense, be given, with or
24 without each member’s consent, an alternative obligation,

1 which may consist of any of the following, as determined
2 by the Secretary concerned—

3 “(1) a service obligation in a component of the
4 Selected Reserve for a period two times as long as
5 the member’s remaining active duty service obliga-
6 tion;

7 “(2) a service obligation as a civil service em-
8 ployee employed as a health care professional in a
9 facility of the uniformed services for a period of time
10 equal to the member’s remaining active duty service
11 obligation;

12 “(3) transfer of the active duty service obliga-
13 tion to an obligation equal in time under the Na-
14 tional Health Service Corps under section 338C of
15 the Public Health Service Act (42 U.S.C. 254m) and
16 subject to all requirements and procedures applicable
17 to obligated members of the National Health Service
18 Corps; or

19 “(4) repayment to the Secretary of Defense of
20 a percentage of the total cost incurred by the Sec-
21 retary under this subchapter on behalf of the mem-
22 ber equal to the percentage of the member’s total ac-
23 tive duty service obligation being relieved, plus inter-
24 est.”.

1 (b) CONFORMING AMENDMENT FOR THE UNI-
2 FORMED SERVICES UNIVERSITY OF THE HEALTH
3 SCIENCES.—Section 2114 of such title 10 is amended by
4 adding at the end thereof the following new subsection:

5 “(h) Any graduate of the University relieved of his
6 or her active duty obligation under this chapter before the
7 completion of such obligation may, under regulations pre-
8 scribed by the Secretary of Defense, be given, with or
9 without each graduate’s consent, an alternative obligation
10 comparable to the alternative obligations specified in sec-
11 tion 2123(e) (1) and (2) of this title for members of the
12 Health Professions Scholarship and Financial Assistance
13 Program.”.

14 (c) EFFECTIVE DATE.—The amendment made by
15 subsection (a) shall be effective with respect to a member
16 who first enrolled in the program on or after October 1,
17 1996.

18 (d) TRANSITION PROVISION.—In the case of a mem-
19 ber of the program who as of September 30, 1996, is serv-
20 ing an active duty obligation pursuant to the program or
21 incurring an active duty obligation as a participant in the
22 program, and who thereafter is relieved of his or her active
23 duty obligation under this subchapter before the comple-
24 tion of such obligation, the alternative obligations author-
25 ized by such section 2123(e), as amended by subsection

1 (a), may be implemented by the Secretary concerned with
2 the agreement of the member.

3 **SEC. 703. EXCEPTION TO STRENGTH LIMITATIONS FOR**
4 **PUBLIC HEALTH SERVICE OFFICERS AS-**
5 **SIGNED TO THE DEPARTMENT OF DEFENSE.**

6 In computing the maximum number of commissioned
7 officers of the Public Health Service authorized by law or
8 administrative determination to serve on active duty, there
9 may be excluded from such computation officers who are
10 assigned to duty in the Department of Defense.

11 **SEC. 704. REPEAL OF THE STATUTORY RESTRICTION ON**
12 **USE OF FUNDS FOR ABORTIONS.**

13 (a) IN GENERAL.—Section 1093 of title 10, United
14 States Code, is repealed.

15 (b) CLERICAL AMENDMENT.—The table of sections
16 at the beginning of chapter 55, United States Code, is
17 amended by striking out the item referring to section
18 1093.

19 **SEC. 705. MEDICAL AND DENTAL CARE FOR RESERVE COM-**
20 **PONENT MEMBERS IN A DUTY STATUS.**

21 (a) IN GENERAL.—Chapter 55 of title 10, United
22 States Code, is amended by striking out section 1074a and
23 inserting in lieu thereof the following:

1 **“§ 1074a. Medical and dental care for Reserve compo-**
2 **nent members in a duty status**

3 “(a) Under joint regulations prescribed by the admin-
4 istering Secretaries, the following persons are entitled to
5 the benefits described in subsection (b):

6 “(1) Each member of a reserve component of a
7 uniformed service who incurs or aggravates an in-
8 jury, illness, or disease in the line of duty while per-
9 forming—

10 “(A) active duty, active duty for training,
11 annual training or full-time National Guard
12 duty, or

13 “(B) inactive duty training, in a pay or
14 nonpay status.

15 “(2) Each member of a reserve component of a
16 uniformed service who incurs or aggravates an in-
17 jury, illness, or disease while traveling directly to or
18 from the place at which that member is to perform
19 or has performed—

20 “(A) active duty, active duty for training,
21 annual training or full-time National Guard
22 duty, or

23 “(B) inactive duty training, in a pay or
24 nonpay status.

25 “(3) Each member of a reserve component of a
26 uniformed service who incurs or aggravates an in-

1 jury, illness, or disease in the line of duty while re-
2 maining overnight, between successive periods of in-
3 active duty training, and the site is outside reason-
4 able commuting distance from the member's resi-
5 dence.

6 “(b) A person described in subsection (a) is entitled
7 to—

8 “(1) the medical and dental care appropriate
9 for the treatment of the injury, illness, or disease of
10 that person until the member completes treatment
11 and is returned to full military duty or has com-
12 pleted processing in accordance with chapter 61 of
13 this title;

14 “(2) upon the member's request, continuation
15 on active duty, for personnel included in subsections
16 (a)(1)(A) and (a)(2)(A), during the period of hos-
17 pitalization resulting from the injury, illness, or dis-
18 ease; and

19 “(3) the pay and allowances authorized in ac-
20 cordance with sections 204 (g) and (h) of title 37,
21 United States Code.

22 “(c) A member is not entitled to benefits under this
23 section if the injury, illness, or disease, or aggravation of
24 an injury, illness, or disease described in subsection (a)(2),

1 is the result of the gross negligence or misconduct of the
2 member.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 for such chapter 55 is amended by striking out the item
5 referring to section 1074a and inserting in lieu thereof the
6 following:

“1074a. Medical and dental care for Reserve component members in a duty sta-
tus.”.

7 **SEC. 706. IMPROVED DEATH AND DISABILITY BENEFITS**
8 **FOR RESERVISTS.**

9 (a) MEDICAL AND DENTAL CARE.—Section 1074a(a)
10 of title 10, United States Code, is amended by inserting
11 after paragraph (2) the following new paragraph:

12 “(3) Each member of the armed forces who in-
13 curs or aggravates an injury, illness, or disease in
14 the line of duty while remaining overnight, between
15 successive periods of inactive-duty training, at or in
16 the vicinity of the site of the inactive-duty training,
17 and the site is outside reasonable commuting dis-
18 tance from the member’s residence.”.

19 (b) RECOVERY, CARE, AND DISPOSITION OF RE-
20 MAINS.—Section 1481(a)(2) of title 10, United States
21 Code, is amended—

22 (1) in subparagraph (C) by striking out “or” at
23 the end;

1 (2) by redesignating subparagraph (D) as sub-
2 paragraph (E); and

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

5 “(D) remaining overnight, between succes-
6 sive periods of inactive-duty training, at or in
7 the vicinity of the site of the inactive-duty
8 training, and the site is outside reasonable com-
9 muting distance from the member’s residence;
10 or”.

11 (c) RETIREMENT/SEPARATION FOR DISABILITY.—
12 Section 1204(2) of title 10, United States Code, is amend-
13 ed by striking out the semicolon at the end of the subpara-
14 graph and inserting the following: “or in line of duty while
15 remaining overnight, between successive periods of inac-
16 tive-duty training, at or in the vicinity of the site of the
17 inactive-duty training, and the site is outside reasonable
18 commuting distance from the member’s residence.”.

19 (d) ENTITLEMENT TO BASIC PAY.—(1) Subsection
20 (g)(1) of section 204 of title 37, United States Code, is
21 amended—

22 (1) in subparagraph (B), by striking out “or”
23 at the end of the subparagraph;

1 (2) in subparagraph (C), by striking out the pe-
2 riod at the end of the subparagraph and inserting in
3 lieu thereof “; or”; and

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

6 “(D) in line of duty while remaining over-
7 night, between successive periods of inactive-
8 duty training, at or in the vicinity of the site of
9 the inactive-duty training, and the site is out-
10 side reasonable commuting distance from the
11 member’s residence.”.

12 (c) Subsection (h)(1) of such section is amended—

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

15 (2) in subparagraph (C), by striking out the pe-
16 riod at the end of the subparagraph and inserting in
17 lieu thereof “; or”; and

18 (3) by inserting after subparagraph (C) the fol-
19 lowing new subparagraph:

20 “(D) in line of duty while remaining over-
21 night, between successive periods of inactive-
22 duty training, at or in the vicinity of the site of
23 the inactive-duty training, and the site is out-
24 side reasonable commuting distance from the
25 member’s residence.”.

1 (e) COMPENSATION FOR INACTIVE-DUTY TRAIN-
2 ING.—Section 206(a)(3) of title 37 is amended—

3 (1) in subparagraph (A) by striking out “or” at
4 the end of clause (ii);

5 (2) in subparagraph (B), by striking out the pe-
6 riod at the end of the subparagraph and inserting in
7 lieu thereof “; or”; and

8 (3) by inserting after subparagraph (B) the fol-
9 lowing new subparagraph:

10 “(C) in line of duty while overnight, be-
11 tween successive periods of inactive-duty train-
12 ing, at or in the vicinity of the site of the inac-
13 tive-duty training, and the site is outside rea-
14 sonable commuting distance from the member’s
15 residence.”.

16 **TITLE XIII—ACQUISITION AND** 17 **RELATED MATTERS**

18 **SEC. 801. REPEAL OF PROCUREMENT TECHNICAL ASSIST-** 19 **ANCE COOPERATIVE AGREEMENT PROGRAM.**

20 (a) REPEAL.—Chapter 142 of title 10, United States
21 Code, is hereby repealed.

22 (b) CONFORMING AMENDMENT.—Part IV of Subtitle
23 A of such title is amended by striking out in the table
24 of chapters at the beginning of such title the item refer-
25 ring to chapter 142.

1 **SEC. 802. CLARIFICATION OF AUTHORITY FOR REQ-**
 2 **UISIONING AND LEASE OF GENERAL SERV-**
 3 **ICES VEHICLES FOR THE NATIONAL GUARD.**

4 (a) IN GENERAL.—Chapter 7 of title 32, United
 5 States Code, is amended by adding at the end the follow-
 6 ing new section:

7 **“§717. Requisitioning and Use of General Services**
 8 **Administration Vehicles**

9 “The training and administration of the National
 10 Guard by the States, Territories, Puerto Rico, and the
 11 District of Columbia, in accordance with this title and reg-
 12 ulations prescribed under this title, shall be considered an
 13 official government purpose for the purpose of requisition-
 14 ing and use of government vehicles pursuant to section
 15 211 of the Federal Property and Administrative Services
 16 Act of 1949 (40 U.S.C. 491). The United States Property
 17 and Fiscal Officer of the National Guard of the jurisdic-
 18 tion concerned shall be considered an official of a req-
 19 uisitioning agency for the purposes of section 211.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
 21 at the beginning of chapter 7 of title 32 is amended by
 22 inserting at the end the following new item:

“717. Requisitioning and Use of General Services Administration Vehicles.”.

23 **SEC. 803. EXTENSION OF PILOT MENTOR PROGRAM.**

24 Section 831(j)(2) of the National Defense Authoriza-
 25 tion Act for Fiscal Year 1991 (Public Law 101–510; 10

1 U.S.C. 2301 note) is amended by striking out “1996” and
2 inserting in lieu thereof “1998.”

3 **SEC. 804. EXTENSION AND REVISION OF AUTHORITY TO**
4 **ENTER INTO PROTOTYPE PROJECTS.**

5 Section 845 of the National Defense Authorization
6 Act for Fiscal Year 1994 (Public Law 103–160; 10 U.S.C.
7 2371 note) is amended—

8 (1) in subsection (a) by inserting after “Agen-
9 cy” “, the Secretary of a military department or
10 other official designated by the Secretary of De-
11 fense”;

12 (2) in subsection (c)—

13 (A) by striking “of the Director”; and

14 (B) by striking “3 years after the date of
15 enactment of this Act” and inserting in lieu
16 thereof “on September 30, 1999.”;

17 (3) by redesignating subsection (c) as sub-
18 section (d); and

19 (4) by inserting after subsection (b) the follow-
20 ing new subsection (c):

21 “(c) FOLLOW-ON.—Notwithstanding any other provi-
22 sion of law, the Secretary of Defense may conduct a fol-
23 low-on acquisition of any prototype or technology dem-
24 onstrator developed under the authority of this section uti-

1 lizing such acquisition procedures as the Secretary deter-
 2 mines appropriate.”.

3 **SEC. 805. REPEAL OF REPORTING REQUIREMENT REGARD-**
 4 **ING RESEARCH PROJECTS AND INFUSION OF**
 5 **CONFIDENTIALITY REQUIREMENT TO PRO-**
 6 **TECT PROPRIETARY DATA.**

7 (a) DEFINITION OF AGENCY RECORD.—Section
 8 2371(h) of title 10, United States Code, is amended to
 9 read as follows:

10 “(h) AGENCY RECORDS.—For a period of five years
 11 from submission to the Department of Defense, the follow-
 12 ing shall not be considered an ‘agency record’ for purposes
 13 of section 552 of title 5, United States Code:

14 (1) Proposals, proposal abstracts, or supporting
 15 documents submitted in a competitive or non-com-
 16 petitive process leading to possible award of a coop-
 17 erative agreement or other transaction, and;

18 (2) Business plans or technical information sub-
 19 mitted on a confidential basis.”.

20 (b) CONFORMING AMENDMENT.—Section 2371(i) of
 21 such title 10 is amended—

22 (1) by striking “(i) COOPERATIVE RESEARCH
 23 AND DEVELOPMENT AGREEMENTS UNDER STEVEN-
 24 SON-WYDLER TECHNOLOGY INNOVATION ACT OF
 25 1980.—”;

1 (2) by transferring subsection (i), as amended,
2 to chapter 139 of such title 10, redesignating it as
3 section 2374a of such chapter; and

4 (3) by inserting the following new heading for
5 the transferred section 2374a:

6 **“§2374a. Cooperative research and development**
7 **agreements under Stevenson-Wydler**
8 **Technology Innovation Act of 1980”;**

9 and

10 (4) by amending the table of sections at the be-
11 ginning of chapter 139 of such title 10 by inserting
12 after the item relating to section 2374 the following
13 new item:

 “2374a. Cooperative research and development agreements under Stevenson-
 Wydler Technology Innovation Act of 1980.”.

14 **SEC. 806. AUTHORITY FOR PAYMENTS FROM CANCELED AC-**
15 **COUNT FOR SHIPBUILDING AND CONVER-**
16 **SION TO BE MADE FROM PRIOR YEARS**
17 **ACCOUNT.**

18 For purposes of section 1553(b) of title 31, United
19 States Code, any subdivision of appropriations made in
20 this Act and hereafter under the heading “Shipbuilding
21 and Conversion, Navy” shall be considered to be for the
22 same purpose as any subdivision under the heading “Ship-
23 building and Conversion, Navy” appropriations in any
24 prior year.

1 **SEC. 807. RELIANCE ON THE PRIVATE SECTOR FOR SUP-**
2 **PLIES AND SERVICES.**

3 (a) IN GENERAL.—The Secretary of Defense shall
4 rely on the private sector, to the maximum extent prac-
5 ticable, for commercial or industrial type supplies and
6 services necessary for or beneficial to the accomplishment
7 of the authorized functions of the Department, except
8 when the Secretary or his designee determines, in his dis-
9 cretion, that the function should be performed by govern-
10 ment personnel.

11 (b) AUTHORITY.—Notwithstanding any provision of
12 title 10, United States Code, or any statute authorizing
13 appropriations for, or making appropriations for, the De-
14 partment of Defense, the Secretary may acquire by con-
15 tract from the private sector or any non-federal govern-
16 ment entities those commercial or industrial type supplies
17 and services necessary for or beneficial to the accomplish-
18 ment of the authorized functions of the Department. The
19 Secretary shall use the procurement procedures of chapter
20 137 of title 10, United States Code; however, when the
21 Secretary provides for the procurement of such supplies
22 and services using competitive procedures, the Secretary
23 may limit the place of performance to the location where
24 such supplies or services are being provided by federal gov-
25 ernment personnel when the Secretary determines it is in
26 the public interest.

1 **TITLE IX—ORGANIZATION AND**
2 **MANAGEMENT**

3 **SEC. 901. CHANGE IN NAME OF NORTH AMERICAN AIR DE-**
4 **FENSE COMMAND.**

5 Section 162 of title 10, United States Code, is
6 amended by striking out “North American Air Defense
7 Command” each place it appears and inserting in lieu
8 thereof “United States Element, North American Aero-
9 space Defense Command”.

10 **SEC. 902. AMENDMENT TO BOARD MEMBERSHIP OF THE**
11 **AMMUNITION STORAGE BOARD.**

12 Section 172(a) of title 10, United States Code, is
13 amended by inserting “composed” after “a joint board”
14 and by inserting “, civilian employees of the Department
15 of Defense, or both” after “of officers”.

16 **SEC. 903. AMENDMENT TO THE FOREIGN TRADE ZONES**
17 **ACT TO REMOVE THE SECRETARY OF THE**
18 **ARMY FROM MEMBERSHIP ON THE FOREIGN**
19 **TRADE ZONE BOARD AND FOR OTHER**
20 **PURPOSES.**

21 Subsection (b) of the first section of the Act of June
22 18, 1934 (Public Law Numbered 397, Seventy-third Con-
23 gress; 48 Stat. 998) (19 U.S.C. 81a)) is amended by—

24 (1) inserting the word “and” after “who shall
25 be chairman and executive officer of the Board”;

1 (2) striking out the comma after “the Secretary
2 of the Treasury” and inserting in lieu thereof a pe-
3 riod; and,

4 (3) striking out the phrase “and the Secretary
5 of the Army”.

6 **Subtitle B—Financial Management**

7 **SEC. 910. DEVOLUTION OF ENVIRONMENTAL RESTORATION**

8 **TRANSFER ACCOUNTS TO THE MILITARY DE-** 9 **PARTMENTS.**

10 (a) Section 2703 of title 10, United States Code, is
11 amended to read as follows:

12 **“§ 2703. Environmental restoration transfer accounts**

13 “(a) ESTABLISHMENT OF TRANSFER ACCOUNTS.—

14 “(1) ESTABLISHMENT.—There is hereby estab-
15 lished in the Department of Defense and in each of
16 the Military Departments, an account to be known
17 as the “Environmental Restoration Account” (here-
18 inafter in this section referred to as the “transfer
19 accounts”). All sums appropriated to carry out the
20 functions of the Secretary of Defense and the Sec-
21 retaries of the Military Departments relating to en-
22 vironmental restoration under this chapter or to en-
23 vironmental restoration under any other provision of
24 law shall be appropriated to their respective transfer
25 accounts.

1 “(2) REQUIREMENT OF AUTHORIZATION OF AP-
2 PROPRIATIONS.—No funds may be appropriated to
3 the transfer accounts unless such sums have been
4 specifically authorized by law.

5 “(3) AVAILABILITY OF FUNDS IN TRANSFER
6 ACCOUNTS.—Amounts appropriated to the transfer
7 accounts shall remain available until transferred
8 under subsection (b).

9 “(b) AUTHORITY TO TRANSFER TO OTHER AC-
10 COUNTS.—Amounts in their respective transfer accounts
11 shall be available to be transferred by the Secretary of
12 Defense or the Secretaries of the Military Departments
13 to any appropriation account or fund of their Departments
14 for obligation from that account or fund to which trans-
15 ferred.

16 “(c) OBLIGATION OF TRANSFERRED AMOUNTS.—
17 Funds transferred under subsection (b) may only be obli-
18 gated or expended from the account or fund to which
19 transferred in order to carry out the functions of the Sec-
20 retary of Defense or the Secretaries of the Military De-
21 partments under this chapter or environmental restoration
22 functions under any other provision of law.

23 “(d) BUDGET REPORTS.—In proposing the Budget
24 for any fiscal year pursuant to section 1105 of title 31,
25 the President shall set forth separately the amounts re-

1 requested for environmental restoration programs for the
2 Department of Defense and the Military Departments
3 under this chapter or any other Act.

4 “(e) AMOUNTS RECOVERED UNDER CERCLA.—
5 Amounts recovered under section 107 of CERCLA for re-
6 sponse actions of the Secretary of Defense or a Secretary
7 of a Military Department shall be credited to their respec-
8 tive transfer account.

9 “(f) PAYMENTS OF FINES AND PENALTIES.—None
10 of the funds appropriated to the transfer account for fiscal
11 years 1995 through 1999 may be used for the payment
12 of a fine or penalty imposed against the Department of
13 Defense unless the act of omission for which the fine or
14 penalty is imposed arises out of an activity funded by the
15 transfer account.

16 “(g) CONFORMING AMENDMENT.—Reference to the
17 ‘Defense Environmental Restoration Account’ elsewhere in
18 the law shall be construed as referring to the ‘Environ-
19 mental Restoration Account’ of the Department of De-
20 fense and each of the military departments.”.

21 **SEC. 911. RECRUITING FUNCTIONS: USE OF FUNDS.**

22 (a) AUTHORITY.—Chapter 31 of title 10, United
23 States Code, is amended by adding at the end the follow-
24 ing new section:

1 **“§ 520c. Recruiting functions: use of funds**

2 “Under regulations prescribed by the Secretary con-
3 cerned, funds appropriated to the Department of Defense,
4 not to exceed \$2,000,000 annually, may be expended for
5 small meals and snacks during recruiting functions for—

6 “(1) persons who have entered the Delayed
7 Entry Program under section 513 of this chapter or
8 other persons who are the subject of recruiting ef-
9 forts by the regular and reserve components;

10 “(2) influential persons in communities who as-
11 sist the military departments in their recruiting ef-
12 forts;

13 “(3) military or civilian personnel whose attend-
14 ance is mandatory at such functions.”; and

15 “(4) other persons whose presence at recruiting
16 functions will contribute to recruiting efforts.”

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

“520c. Recruiting functions: use of funds.”.

1 **TITLE X—GENERAL PROVISIONS**

2 **Subtitle A—Financial Matters**

3 **SEC. 1001. REPEAL OF REQUIREMENT FOR SEPARATE**
4 **BUDGET REQUEST FOR PROCUREMENT OF**
5 **RESERVE EQUIPMENT.**

6 Section 114(e) of title 10, United States Code, is re-
7 pealed.

8 **SEC. 1002. ACCEPTANCE OF SERVICES FOR DEFENSE PUR-**
9 **POSE (DEFENSE COOPERATION ACCOUNT).**

10 Section 2608 of title 10, United States Code is
11 amended—

12 (1) in subsection (a) by inserting after “money”
13 “, services,”; and

14 (2) by amending subsection (k) to read as fol-
15 lows:

16 “(k) the Secretary of Defense is required to establish
17 written rules to carry out this section setting forth the
18 criteria to be used in determining whether the acceptance
19 of contributions of money, real property, personal prop-
20 erty, or services would reflect unfavorably upon the ability
21 of the Department of Defense or any employee to carry
22 out its responsibilities or official duties in a fair and objec-
23 tive manner, or would compromise the integrity or the ap-
24 pearance of integrity of its programs or any official in-
25 volved in those programs.”.

1 **SEC. 1003. TRANSFER OF WILDLIFE CONSERVATION FEES**
2 **FROM CLOSED MILITARY INSTALLATIONS.**

3 Section 101(b) of the Act of September 15, 1960
4 (commonly referred to as the “Sikes Act”; 16 U.S.C.
5 670a) is amended by inserting before the period at the
6 end of clause (4)(B) the following: “, except when the mili-
7 tary reservation concerned is closed, in which case the fees
8 may be transferred to another military reservation for the
9 same purposes.”.

10 **SEC. 1004. DEPARTMENT OF DEFENSE DISBURSING OFFI-**
11 **CIAL CHECK CASHING AND EXCHANGE**
12 **TRANSACTIONS.**

13 Section 3342(b) of title 31, United States Code, is
14 amended—

15 (1) by striking “and” at the end of subsection
16 (b)(5);

17 (2) by striking the period at the end of sub-
18 section (b)(6) inserting in lieu thereof “; or”; and

19 (3) by adding at the end the following new
20 paragraph:

21 “(7) a United States-chartered Federal credit
22 union operating at DOD invitation in a foreign
23 country where contractor-operated military banking
24 facilities are not available.”.

1 **SEC. 1005. DISPOSITION OF CERTAIN FUNDS ARISING OUT**
2 **OF THE SALE OF CERTAIN ASSETS AT**
3 **CLOSED MILITARY INSTALLATIONS.**

4 (a) **BASE CLOSURES UNDER 1988 ACT.**—Section
5 204(b)(7) of the Defense Authorization Amendments and
6 Base Closure and Realignment Act (title II to Public Law
7 100–526, as amended; 10 U.S.C. 2687 note) is amend-
8 ed—

9 (1) by striking out subsection (C)(i) and insert-
10 ing in lieu thereof the following:

11 “(i) If any real property or facility ac-
12 quired, constructed, or improved (in whole
13 or in part) with commissary store funds or
14 nonappropriated funds is transferred or
15 disposed of in connection with the closure
16 or realignment of a military installation
17 under this part, a portion of the proceeds
18 of the transfer or other disposal of prop-
19 erty on that installation shall be deposited
20 as follows:

21 “(I) In the case of proceeds from
22 the transfer or other disposal of prop-
23 erty acquired, constructed, or im-
24 proved (in whole or in part) with com-
25 missary store funds, the applicable
26 portion shall be deposited in the com-

1 missary surcharge fund established
2 pursuant to section 2685 of title 10,
3 United States Code.

4 “(II) In the case of proceeds
5 from the transfer or other disposal of
6 property acquired, constructed, or im-
7 proved (in whole or in part) with non-
8 appropriated funds, the applicable
9 portion shall be deposited in a De-
10 partment of Defense nonappropriated
11 fund account designated by the Sec-
12 retary.”; and

13 (2) by redesignating subsection (C)(iii) as sub-
14 section (C)(iv) and inserting the following new sub-
15 section (C)(iii):

16 “(iii) The Secretary may use
17 amounts—

18 “(I) so deposited in the com-
19 missary surcharge fund for the pur-
20 pose of acquiring, constructing, and
21 improving commissary stores; and

22 “(II) so deposited in the non-
23 appropriated fund account designated
24 by the Secretary for the purpose of
25 acquiring, constructing, and improv-

1 ing real property and facilities for
2 nonappropriated fund instrumental-
3 ities.”.

4 (b) BASE CLOSURE UNDER 1990 ACT.—Section
5 2906 of the Defense Base Closure and Realignment Act
6 of 1990 (part A of title XXIX of Public Law 101–510,
7 as amended; 10 U.S.C. 2687 note) is amended—

8 (1) by striking out subsection (d)(1) and insert-
9 ing in lieu thereof the following:

10 “(1) If any real property or facility acquired,
11 constructed, or improved (in whole or in part) with
12 commissary store funds or nonappropriated funds is
13 transferred or disposed of in connection with the clo-
14 sure or realignment of a military installation under
15 this part, a portion of the proceeds of the transfer
16 or other disposal of property on that installation
17 shall be deposited as follows:

18 “(A) In the case of proceeds from the
19 transfer or other disposal of property acquired,
20 constructed, or improved (in whole or in part)
21 with commissary store funds, the applicable
22 portion shall be deposited in the commissary
23 surcharge fund established pursuant to 10
24 U.S.C. 2685.

1 “(B) In the case of proceeds from the
2 transfer or other disposal of property acquired,
3 constructed, or improved (in whole or in part)
4 with nonappropriated funds, the applicable por-
5 tion shall be deposited in a Department of De-
6 fense nonappropriated fund account designated
7 by the Secretary.”; and

8 (2) by striking out subsection (d)(3) and insert-
9 ing in lieu thereof the following:

10 “(3) The Secretary may use amounts—

11 “(A) so deposited in the commissary sur-
12 charge fund for the purpose of acquiring, con-
13 structing, and improving commissary stores;
14 and

15 “(B) so deposited in the nonappropriated
16 fund account designated by the Secretary for
17 the purpose of acquiring, constructing, and im-
18 proving real property and facilities for non-
19 appropriated fund instrumentalities.”.

20 (c) BASE CLOSURES UNDER 1991 ACT.—Section
21 2921 of the National Defense Authorization Act for Fiscal
22 Year 1991 (Public Law 101–510, as amended; 10 U.S.C.
23 2687 note) is amended in subsection (d)(1)—

24 (1) by striking out “in the reserve account es-
25 tablished under section 204(b)(4)(C) of the Defense

1 Authorization Amendments and Base Closure and
 2 Realignment Act” and inserting in lieu thereof “in
 3 the commissary surcharge fund established pursuant
 4 to section 2685 of title 10 United States Code or in
 5 a Department of Defense nonappropriated fund ac-
 6 count designated by the Secretary of Defense, con-
 7 sistent with the source of the funds”; and

8 (2) by striking out the parenthetical “(in such
 9 an aggregate amount as is provided in advance by
 10 appropriation Acts)”.

11 (d) DEFINITION OF PROCEEDS.—For subsections
 12 (a), (b), and (c) above, the term “proceeds” is the amount
 13 in excess of the depreciated value from the sale of com-
 14 missary or nonappropriated fund assets.

15 **Subtitle B—Civilian Personnel**

16 **SEC. 1010. CIVILIAN FACULTY MEMBERS AT CERTAIN DE-** 17 **PARTMENT OF DEFENSE SCHOOLS: EMPLOY-** 18 **MENT AND COMPENSATION, SECTION 1595(C)** 19 **OF TITLE 10, UNITED STATES CODE.**

20 Section 1595(c) of title 10, United States Code, is
 21 amended by inserting after paragraph (3) the following
 22 new paragraph (4):

23 “(4) The English Language Center of the De-
 24 fense Language Institute.”.

1 **SEC. 1011. EMPLOYMENT AND COMPENSATION PROVISIONS**
2 **FOR FACULTY MEMBERS AND LEADERSHIP**
3 **OF THE ASIA-PACIFIC CENTER FOR SECURITY**
4 **STUDIES.**

5 Section 1595 of title 10, United States Code, is
6 amended—

7 (1) in subsection (c) by adding at the end the
8 following new paragraph (4):

9 “(4) The Asia-Pacific Center for Security Stud-
10 ies.”; and

11 (2) by adding at the end of the section the fol-
12 lowing new subsection (f):

13 “(f) APPLICATION TO DIRECTOR AND DEPUTY DI-
14 RECTOR AT ASIA-PACIFIC CENTER FOR SECURITY STUD-
15 IES.—In the case of the Asia-Pacific Center for Security
16 Studies, this section also applies with respect to the Direc-
17 tor and the Deputy Director.”.

18 **SEC. 1012. EXCEPTED APPOINTMENT OF JUDICIAL NON-AT-**
19 **TORNEY STAFF IN THE UNITED STATES**
20 **COURT OF APPEALS FOR THE ARMED**
21 **FORCES.**

22 Article 143(c) of the Uniform Code of Military Jus-
23 tice (10 U.S.C. 943(c)) is amended—

24 (1) in the catchline for the subsection by strik-
25 ing “attorney” and inserting in lieu thereof “cer-
26 tain”; and

1 (2) in paragraph (1) by inserting after “Court
2 of Appeals for the Armed Forces” “and non-attor-
3 ney positions established in a judge’s chambers”.

4 **SEC. 1013. CONVERSION OF MILITARY POSITIONS.**

5 Section 1032 of the National Defense Authorization
6 Act for Fiscal Year 1996 (Public Law 104–106; 110 Stat.
7 429) is hereby repealed.

8 **Subtitle C—Reporting**
9 **Requirements**

10 **SEC. 1020. NATIONAL GUARD AND RESERVE COMPONENT**

11 **EQUIPMENT: ANNUAL REPORT TO CONGRESS.**

12 Section 10541(b)(5)(A) of title 10, United States
13 Code, is amended by striking out “, shown in accordance
14 with deployment schedules and requirements over succes-
15 sive 30-day periods following mobilization”.

16 **SEC. 1021. ANNUAL REPORT ON STRATEGIC DEFENSE INI-**

17 **TIATIVE.**

18 Section 224 of the National Defense Authorization
19 Act for Fiscal Years 1990 and 1991 (10 U.S.C. 2431
20 note), is amended—

21 (1) by striking subsections (b)(3), (b)(4),
22 (b)(7), (b)(9) and (b)(10); and

23 (2) by redesignating subsections (b)(5), (b)(6),
24 and (b)(8), as (b)(3), (b)(4), and (b)(5), respectively.

1 **SEC. 1022. REPEAL OF REPORT ON CONTRACTOR REIM-**
 2 **BURSEMENT COSTS.**

3 Section 2706 of title 10, United States Code, is
 4 amended by striking out subsection (c) and by redesignat-
 5 ing subsection (d) as subsection (c), respectively.

6 **SEC. 1023. REPEAL OF NOTICE REQUIREMENTS FOR SUB-**
 7 **STANTIALLY OR SERIOUSLY AFFECTED PAR-**
 8 **TIES IN DOWNSIZING EFFORTS.**

9 Sections 4101 and 4201 of the National Defense Au-
 10 thorization Act for Fiscal Year 1991 (Public Law 101-
 11 510; 10 U.S.C. 2391 note) are hereby repealed.

12 **Subtitle D—Matters Relating to**
 13 **Other Nations**

14 **SEC. 1025. AUTHORIZATION FOR EXECUTION OF DEPART-**
 15 **MENT OF DEFENSE DEMINING PROGRAM.**

16 Section 401(e) of title 10, United States Code, is
 17 amended—

18 (1) by redesignating paragraph (2) as para-
 19 graph (3); and

20 (2) by inserting after paragraph (1) the follow-
 21 ing new paragraph (2):

22 “(2) In providing the assistance described in
 23 subsection (e)(5), such expenses for that assistance
 24 may include—

1 “(A) travel, transportation, and subsist-
2 ence expenses of personnel participating in such
3 activities; and

4 “(B) the cost of any equipment, supplies,
5 and services acquired for the purpose of carry-
6 ing out or supporting such activities, including
7 any equipment, supplies, or services transferred
8 or otherwise provided to a foreign country or
9 other organization in connection with the provi-
10 sion of assistance under this section.”.

11 **Subtitle E—Other Matters**

12 **SEC. 1030. NATIONAL DEFENSE TECHNOLOGY AND INDUS-** 13 **TRIAL BASE, DEFENSE REINVESTMENT, AND** 14 **DEFENSE CONVERSION.**

15 (a) NATIONAL DEFENSE TECHNOLOGY AND INDUS-
16 TRIAL BASE COUNCIL.—Section 2502 of title 10, United
17 States Code, is amended by striking out subsection (c)(3).

18 (b) NATIONAL DEFENSE PROGRAM FOR ANALYSIS
19 OF THE TECHNOLOGY AND INDUSTRIAL BASE.—Section
20 2503 of title 10, United States Code, is amended—

21 (1) in subsection (a)—

22 (A) by amending paragraph (1) to read as
23 follows:

1 “(1) The Secretary of Defense shall establish a
2 program for analysis of national technology and in-
3 dustrial base issues, policies, and programs.”; and

4 (B) by striking out paragraphs (2), (3),
5 and (4);

6 (2) by striking out subsection (b);

7 (3) by redesignating subsection (c) as sub-
8 section (b);

9 (4) in subsection (c)(3)(A)—

10 (A) by striking out “the National Defense
11 Technology and Industrial Base Council in”;
12 and

13 (B) by striking out “and the periodic plans
14 required by section 2506 of this title.”; and

15 (5) in subsection (c)(3), by striking subpara-
16 graph (C).

17 (c) NATIONAL TECHNOLOGY AND INDUSTRIAL BASE:
18 PERIODIC DEFENSE CAPABILITY ASSESSMENTS.—Section
19 2505 of title 10, United States Code, is amended to read
20 as follows:

21 **“§2505. National technology and industrial base:
22 periodic defense capability assessments**

23 “(a) PERIODIC ASSESSMENT.—The Secretary of De-
24 fense shall, in consultation with the Secretary of Com-
25 merce, annually through fiscal year 1998, prepare selected

1 assessments of the capability of the national technology
2 and industrial base to attain national security require-
3 ments.

4 “(b) ASSESSMENT PROCESS.—The Secretary of De-
5 fense shall take action to ensure that technology and in-
6 dustrial capability assessments prepared by the Depart-
7 ment will—

8 “(1) describe sectors and their underlying infra-
9 structure;

10 “(2) analyze economic and financial strengths
11 of sectors, especially those portions that might be af-
12 fected by defense program reductions; and

13 “(3) identify technological and industrial capa-
14 bilities of concern.

15 “(c) INTEGRATED PROCESS.—The Secretary of De-
16 fense shall ensure that the technology and industrial base
17 assessments are integrated into the Department of De-
18 fense’s overall budget, acquisition, and logistics decision-
19 making processes.”.

20 (d) DEPARTMENT OF DEFENSE TECHNOLOGY AND
21 INDUSTRIAL BASE POLICY AND OVERSIGHT.—Section
22 2506 of title 10, United States Code, is amended to read
23 as follows:

1 **“§ 2506. Department of Defense technology and in-**
2 **dustrial base policy and oversight**

3 “(a) DEPARTMENTAL GUIDANCE.—The Secretary of
4 Defense shall prescribe Departmental guidance appro-
5 priate to implement the national security objectives of the
6 President. The Secretary should also provide for senior-
7 level Departmental oversight to ensure that technological
8 and industrial capability issues are integrated into key de-
9 cision processes for budget allocation, weapons acquisition,
10 and logistics support.

11 “(b) REPORT TO CONGRESS.—The Secretary of De-
12 fense shall report on the Department’s implementation of
13 Departmental guidance in the annual report to Congress
14 prepared pursuant to section 2508 of this title.”.

15 (e) ANNUAL REPORT TO CONGRESS.—Subchapter II
16 of chapter 148 of title 10, United States Code, is amended
17 by inserting after section 2507 the following new section:

18 **“§ 2508. Annual report to Congress**

19 “(a) The Secretary of Defense shall transmit an an-
20 nual report to Congress in March 1997 and March 1998
21 which shall include the following:

22 “(1) A description of the Department’s guid-
23 ance prepared pursuant to section 2506 of this title.

24 “(2) A description of the various methods and
25 analysis being undertaken to address technological
26 and industrial concerns.

1 “(3) A description of the assessments used to
2 develop the Department’s annual budget submission.

3 “(4) Identification of any programs designed to
4 sustain essential technology and industrial capabili-
5 ties.”.

6 (f) ENCOURAGEMENT OF TECHNOLOGY TRANS-
7 FER.—Section 2514(e) of title 10, United States Code, is
8 amended by striking out paragraph (5).

9 (g) MILITARY-CIVILIAN INTEGRATION AND TECH-
10 NOLOGY TRANSFER ADVISORY BOARD.—Section 2516 of
11 title 10, United States Code, is amended—

12 (1) by striking out “National Defense Tech-
13 nology and Industrial Base Council” each place it
14 appears and inserting in lieu thereof in each in-
15 stance “Secretary of Defense”; and

16 (2) by striking out “Council” each place it ap-
17 pears and inserting in lieu thereof in each instance
18 “Secretary”.

19 (h) NATIONAL DEFENSE MANUFACTURING TECH-
20 NOLOGY PROGRAM.—Section 2521 of title 10, United
21 States Code, is amended—

22 (1) by striking out subsection (b); and

23 (2) by redesignating subsection (c) as sub-
24 section (b).

1 (i) CONFORMING AMENDMENTS.—Sections 4218,
 2 4219, and 4220 of the National Defense Authorization
 3 Act for Fiscal Year 1993 (Public Law 102–484; 10 U.S.C.
 4 2501 note, 2505 note, and 2506 note) are repealed.

5 (j) CLERICAL AMENDMENTS.—The table of sections
 6 at the beginning of Subchapter II of chapter 148 of title
 7 10, United States Code, is amended—

8 (1) by amending the item relating to section
 9 2506 to read as follows:

“2506. Department of Defense technology and industrial base policy and over-
 sight.”;

10 and

11 (2) by adding at the end the following new
 12 item:

“2508. Annual report to Congress.”.

13 **SEC. 1031. RESTORATION OF AUTHORITY FOR CERTAIN**
 14 **INTRAGOVERNMENT TRANSFERS IN THE**
 15 **BASE CLOSURE AND REALIGNMENT PROC-**
 16 **ESS.**

17 Section 204(b)(2) of the Defense Authorization
 18 Amendments and Base Closure and Realignment Act of
 19 1988 (Public Law 100–256; 10 U.S.C. 2687 note), is
 20 amended—

21 (1) by redesignating subparagraphs (D) and
 22 (E) as (E) and (F); and

1 (2) by inserting before subparagraph (E), as re-
2 designated, the following new subparagraph:

3 “(D) The Secretary of Defense may trans-
4 fer real property or facilities located at a mili-
5 tary installation to be closed or realigned under
6 this part, with or without reimbursement, to a
7 military department or other entity (including a
8 nonappropriated fund instrumentality) within
9 the Department of Defense or the Coast
10 Guard.”.

11 **SEC. 1032. CONVEYANCE OF PRIMATE RESEARCH COMPLEX**
12 **AND AIR FORCE OWNED CHIMPANZEES.**

13 (a) CONVEYANCE AUTHORIZED.—The provisions of
14 the Federal Property and Administrative Services Act of
15 1949, as amended, and its implementing regulations not-
16 withstanding, the Secretary of the Air Force may, on a
17 competitive basis, dispose of all right, title, and interest
18 of the United States in and to the primate research com-
19 plex at Holloman Air Force Base and the colony of Air
20 Force owned chimpanzees housed at or managed from the
21 complex. Such conveyance shall only be of Air Force
22 owned facilities and Air Force owned chimpanzees and
23 shall not include the underlying real property. The convey-
24 ance shall be at no cost to the Air Force. The Secretary
25 shall, with the cooperation of the Department of Agri-

1 culture and the National Institutes of Health, develop the
2 standards of care and use to be required by the solicitation
3 of proposals to receive the primary research complex and
4 chimpanzees.

5 (b) CONDITIONS OF CONVEYANCE.—The conveyance
6 instrument shall require that the grantee utilize the chim-
7 panzees for specific research, medical research, or retire-
8 ment and provide adequate care for the chimpanzees. The
9 conveyance shall be subject to any existing leases of the
10 subject property.

11 (c) DESCRIPTION OF PROPERTY.—The exact legal
12 description of the property to be conveyed under sub-
13 section (a) shall be determined by a survey or study that
14 is satisfactory to the Secretary. The cost of such survey
15 or study shall be borne by the recipient of the property.

16 (d) ADDITIONAL TERMS AND CONDITIONS.—The
17 Secretary may require such additional terms and condi-
18 tions in connection with the conveyance under subsection
19 (a) as the Secretary considers appropriate to protect the
20 interests of the United States.

21 **SEC. 1033. CHEMICAL DEMILITARIZATION CITIZENS ADVI-**
22 **SORY COMMISSIONS.**

23 Sections 172(b) and 172(f) of the National Defense
24 Authorization Act for Fiscal Year 1993 (Public Law 102–
25 484; 106 Stat. 2341) are amended by striking out “(In-

1 stallations, Logistics and Environment)” and inserting in
 2 lieu thereof “(Research, Development and Acquisition)”.

3 **SEC. 1034. TRANSFER OF EXCESS PERSONAL PROPERTY TO**
 4 **SUPPORT LAW ENFORCEMENT AGENCIES.**

5 Section 1208 of the National Defense Authorization
 6 Act for Fiscal Years 1990 and 1991 (10 U.S.C. 372 note)
 7 is amended by striking out subsection (c).

8 **SEC. 1035. AUTHORITY OF A RESERVE JUDGE ADVOCATE**
 9 **OR LAW SPECIALIST TO ACT AS A NOTARY**
 10 **PUBLIC.**

11 (a) AUTHORITY TO INCLUDE RESERVE LAWYERS OF
 12 THE ARMED FORCES.—Section 1044a(b) of title 10, Unit-
 13 ed States Code, is amended—

14 (1) in paragraph (1) by striking “on active duty
 15 or performing inactive-duty for training” and insert-
 16 ing in lieu thereof “of the armed forces, including
 17 reserve judge advocates not on active duty”;

18 (2) by redesignating paragraphs (2), (3), and
 19 (4) as paragraphs (3), (4), and (5), respectively;

20 (3) by inserting after paragraph (1) the follow-
 21 ing new paragraph (2):

22 “(2) All Coast Guard law specialists of the
 23 armed forces, including Coast Guard reserve law
 24 specialists.”;

1 amended by striking “the Secretary of the Army” insert-
2 ing in lieu thereof “the Secretary of Defense”.

3 (b) CONFORMING REPEAL OF AIR FORCE PROVI-
4 SION.—Section 9742 of such title 10 is hereby repealed.

5 (c) CLERICAL AMENDMENTS.—(1) the table of sec-
6 tions at the beginning of chapter 447 of such title 10 is
7 amended by striking the item relating to section 4742.

8 (2) The table of sections at the beginning of chapter
9 947 of such title 10 is amended by striking the item relat-
10 ing to section 9742.

11 (3) The table of sections at the beginning of chapter
12 157 of such title 10 is amended by inserting after the item
13 relating to section 2642 the following new item:

“2643. Control of transportation systems in time of war.”.

14 **SEC. 1037. TO CLARIFY THAT THE SOLDIERS’ AND SAILORS’**
15 **CIVIL RELIEF ACT DOES NOT TOLL THE PE-**
16 **RIOD OF LIMITATIONS FOR FILING CLAIMS**
17 **FOR CORRECTIONS OF MILITARY RECORDS.**

18 Section 1552(b) of title 10, United States Code, is
19 amended by adding at the end the following two new sen-
20 tences: “Such board shall consider the claimant’s military
21 service, and its effect on the claimant’s ability to file a
22 claim. That military service shall not toll the period pre-
23 scribed by this subsection for the filing of a request for
24 correction of records, notwithstanding the provisions of
25 section 205 of the Soldiers’ and Sailors’ Civil Relief Act

1 of 1040 (50 U.S.C. App. 525), or any other provision of
2 law.”.

3 **SEC. 1038. REDESIGNATION OF OFFICE OF NAVAL RECORDS**
4 **AND HISTORY GIFT FUND TO NAVAL HISTORI-**
5 **CAL CENTER FUND.**

6 Section 7222 of title 10, United States Code, is
7 amended—

8 (1) by striking out “Naval Records and History
9 gift fund” in the catchline for such section inserting
10 in lieu thereof “Naval Historical Center Fund”; and

11 (2) by striking out in subsections (a) and (c)
12 “Office of Naval Records and History” each place
13 such phrase occurs, and inserting in lieu thereof, in
14 each instance “Naval Historical Center”.

15 **SEC. 1039. GEORGE C. MARSHALL EUROPEAN CENTER FOR**
16 **STRATEGIC SECURITY STUDIES: RELATIONS**
17 **WITH OTHER NATIONS.**

18 (a) USE OF CONTRIBUTIONS.—The Secretary of De-
19 fense may accept, on behalf of the George C. Marshall Eu-
20 ropean Center for Security Studies, pecuniary or service
21 contributions from foreign nations to defray the cost of,
22 or enhance, the George C. Marshall European Center for
23 Security Studies operations. These contributions may in-
24 clude guest lecturers, faculty services, research materials,

1 and other donations through foundations, or similar
2 sources.

3 (b) MARSHALL CENTER ATTENDANCE.—The Sec-
4 retary of Defense may authorize participation in Marshall
5 Center programs of European or Eurasian nations that
6 otherwise would be prohibited by law, if he determines,
7 after consultation with the Department of State, that it
8 is in the national interest of the United States.

9 (c) MARSHALL CENTER BOARD OF VISITORS.—The
10 Secretary of Defense may waive the requirement for finan-
11 cial disclosure for any dignitary invited to serve without
12 compensation on the Marshall Center Board of Visitors.
13 Any foreign dignitary invited to serve on the Board by
14 the Secretary is exempt, for the specific purpose of serving
15 on the Board of Visitors, from registering as a foreign
16 agent. These two provisions apply only while such dig-
17 nitary is serving in the capacity of a Board member. If
18 a Board member is engaged in any other activities outside
19 of the Marshall Center Board of Visitors, foreign registra-
20 tion and financial disclosure is required as prescribed by
21 law.

22 **SEC. 1040. TRANSFER OF LANDS RELATED TO ARLINGTON**
23 **NATIONAL CEMETERY**

24 (a) The Secretary of the Interior shall transfer to the
25 Secretary of the Army all lands in the area of Section 29

1 of the National Park System known as the Arlington Na-
2 tional Cemetery Interment Zone and all those lands in the
3 area of Section 29 known as the Robert E. Lee Memorial
4 Preservation Zone except those lands in the Preservation
5 Zone that the Secretary of the Interior determines must
6 be retained because of their historical significance. The
7 exact acreage and legal descriptions of the lands to be
8 transferred pursuant to this subsection shall be deter-
9 mined by surveys that are satisfactory to both Secretaries.
10 The transfer of these lands shall be carried out in accord-
11 ance with the Interagency Agreement entered into by the
12 Departments of Army and Interior on February 22, 1995.

13 (b) The Secretary of the Interior shall transfer to the
14 Secretary of the Army a parcel of land, and improvements
15 thereon, containing 2.43 acres more or less, being a por-
16 tion of the Memorial Drive entrance area to Arlington Na-
17 tional Cemetery, and the Secretary of the Army shall
18 transfer to the Secretary of the Interior a certain parcel
19 of land, and improvements thereon, known as the Old Ad-
20 ministrative Building site, and a perpetual right of ingress
21 and egress thereto, containing 0.17 of an acre, being part
22 of the original reservation of the Arlington National Ceme-
23 tery. The exact acreage and legal descriptions of the lands
24 to be transferred pursuant to this subsection shall be de-
25 termined by surveys satisfactory to both Secretaries. The

1 costs of any surveys undertaken pursuant to this sub-
 2 section shall be borne by the Department of the Army.

3 **SEC. 1041. TRANSPORTATION BY COMMISSARIES AND EX-**
 4 **CHANGES TO OVERSEAS LOCATIONS.**

5 (a) IN GENERAL.—Chapter 157 of title 10, United
 6 States Code, is amended by repealing section 2643.

7 (b) CLERICAL AMENDMENT.—The table of sections
 8 at the beginning of such chapter 157 is amended by strik-
 9 ing the following item:

“2643. Commissary and exchange services: transportation overseas.”.

10 **SEC. 1042. AUTHORITY FOR THE SECRETARY OF DEFENSE**
 11 **TO ENTER INTO COOPERATIVE AGREEMENTS**
 12 **FOR THE MANAGEMENT OF CULTURAL RE-**
 13 **SOURCES ON MILITARY INSTALLATIONS.**

14 Chapter 159 of title 10, United States Code, is
 15 amended—

16 (1) by adding the following new section at the
 17 end:

18 **“§ 2694. Cooperative Agreements for the management**
 19 **of cultural resources**

20 “(a) AUTHORITY.—The Secretary of Defense or the
 21 Secretary of a Military Department may enter into cooper-
 22 ative agreements with States, local governments, or other
 23 entities upon such terms considered in the public interest
 24 for the preservation, management, maintenance, research,

1 and improvement of cultural resources on military instal-
2 lations.

3 “(b) CONTENT OF AGREEMENTS.—A cooperative
4 agreement entered into under this section shall be subject
5 to the availability of funds and shall not be considered,
6 nor treated as, a cooperative agreement to which chapter
7 63 of title 31, United States Code, applies, and shall not
8 subject to section 1535, of such title, provide for the Sec-
9 retary of Defense and the other party or parties to the
10 agreement.

11 “(c) DEFINITION.—For the purpose of this section,
12 the term ‘cultural resource’ means any building, structure,
13 site, district, and object eligible for or included in the Na-
14 tional Register of Historic Places (16 U.S.C. 470a); a cul-
15 tural item as defined by section 2(3) of the Native Amer-
16 ican Graves Protection and Repatriation Act (104 Stat.
17 3048); an archaeological resource as defined by section 3
18 of the Archaeological Resources Protection Act of 1979
19 (16 U.S.C. 470bb(1)); and archaeological artifact collec-
20 tions and associated records as defined by section 79 of
21 title 36, Code of Federal Regulations 79.”; and

22 (2) by amending the table of sections for such
23 Chapter 159 by inserting after the item relating to
24 section 2693 the following new item:

“2694. Cooperative Agreements for the management of cultural resources.”.

1 **SEC. 1043. MEDAL OF HONOR FOR AFRICAN AMERICAN**
2 **SOLDIERS WHO SERVED IN WORLD WAR II.**

3 (a) INAPPLICABILITY OF TIME LIMITATIONS.—Not-
4 withstanding the time limitations in section 3744(b) of
5 title 10, United States Code, or any other time limitation,
6 the President may award the Medal of Honor to each per-
7 son identified in subsection (b), each of whom distin-
8 guished himself conspicuously by gallantry and intrepidity
9 at the risk of his life above and beyond the call of duty
10 while serving in the United States Army during World
11 War II.

12 (b) AFRICAN-AMERICANS TO RECEIVE THE MEDAL
13 OF HONOR.—

14 (1) Vernon J. Baker, who served as a first lieu-
15 tenant in the 370th Infantry Regiment, 92nd Infan-
16 try Division.

17 (2) Edward A. Carter, who served as a staff
18 sergeant in the 56th Armored Infantry Battalion,
19 Twelfth Armored Division.

20 (3) John R. Fox, who served as a first lieuten-
21 ant in the 366th Infantry Regiment, 92nd Infantry
22 Division.

23 (4) Willy F. James, Jr., who served as a private
24 first class in the 413th Infantry Regiment, 104th
25 Infantry Division.

1 (5) Ruben Rivers, who served as a staff ser-
2 geant in the 761st Tank Battalion.

3 (6) Charles L. Thomas, who served as a first
4 lieutenant in the 614th Tank Destroyer Battalion.

5 (7) George Watson, who served as a private in
6 the 29th Quartermaster Regiment.

7 (c) POSTHUMOUS AWARD.—The Medal of Honor may
8 be awarded under this section posthumously, as provided
9 in section 3752 of title 10, United States Code.

10 (d) PRIOR AWARD.—The Medal of Honor may be
11 awarded under this section for service for which a Distin-
12 guished Service Cross, or other award, has been awarded.

13 **SEC. 1044. PRESIDENTIAL INAUGURATION ASSISTANCE.**

14 (a) IN GENERAL.—Section 2543 of title 10, United
15 States Code, is amended to read as follows:

16 **“§ 2543. Presidential Inaugural Assistance**

17 “(a) FURNISHING OF MATERIALS, SUPPLIES, AND
18 SERVICES.—Notwithstanding any other provision of law,
19 the Secretary of Defense may lend materials and supplies,
20 and provide, on a reimbursable or nonreimbursable basis,
21 materials, supplies, and services of personnel—

22 “(1) to the Inaugural Committee established
23 under the first section of the Presidential Inaugural
24 Ceremonies Act (36 U.S.C. 721); and

1 “(2) to the joint committee of the Senate and
2 House of Representatives described in section 9 of
3 that Act (36 U.S.C. 729).

4 “(b) TERMS OF ASSISTANCE.—Assistance under sub-
5 section (a) shall be loaned or provided in such manner as
6 the Secretary of Defense determines to be appropriate and
7 under such conditions as the Secretary may prescribe.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
9 at the beginning of subchapter II, chapter 152 of such
10 title is amended to read as follows:

 “2543. Presidential Inauguration Assistance.”.

11 **SEC. 1045. TO WITHDRAW AND RESERVE CERTAIN PUBLIC**
12 **LANDS IN THE STATE OF CALIFORNIA UTI-**
13 **LIZED IN THE MISSION OF THE NAVAL AIR**
14 **FACILITY, EL CENTRO, CALIFORNIA**

15 (a) FINDINGS.—(1) The Federal lands within the
16 desert regions of California have provided essential oppor-
17 tunities for military training, research, and development
18 for the Armed Forces of the United States and allied na-
19 tions.

20 (2) Alternative sites for military training and other
21 military activities carried out on Federal lands in the Cali-
22 fornia desert area are not readily available.

23 (3) While changing world conditions have lessened to
24 some extent the immediacy of military threats to the na-
25 tional security of the United States and its allies, there

1 remains a need for military training, research, and devel-
2 opment activities of the types that have been carried out
3 on Federal lands in the California desert area.

4 (4) Continuation of existing military training, re-
5 search, and development activities, under appropriate
6 terms and conditions, is not incompatible with the protec-
7 tion and proper management of the natural, environ-
8 mental, cultural, and other resources and values of the
9 federal lands in the California desert area.

10 (b) EL CENTRO RANGES WITHDRAWAL.—

11 (1) WITHDRAWAL.—Subject to valid existing
12 rights and except as otherwise provided in this Au-
13 thority, the Federal lands utilized in the mission of
14 the Naval Air Facility, El Centro, California (herein-
15 after “El Centro”) that are referred to in paragraph
16 (2) of this section, and all other areas within the
17 boundaries of such lands as depicted on the maps
18 specified in this section which may become subject to
19 the operation of the public land laws, are hereby
20 withdrawn from all forms of appropriation under the
21 public land laws including the mining laws, but not
22 the mineral leasing or geothermal leasing laws or the
23 mineral materials sales laws. The lands withdrawn
24 are reserved for the use by the Secretary of the
25 Navy for—

1 (A) defense-related purposes in accordance
2 with the Cooperative Agreement dated June 29,
3 1987, among the Bureau of Land Management,
4 the Bureau of Reclamation, and the Depart-
5 ment of the Navy; and

6 (B) subject to the provisions of subsection
7 4(e)(2), other defense-related purposes consist-
8 ent with the purposes specified in that sub-
9 section.

10 (2) AFFECTED LANDS.—The lands withdrawn
11 and reserved by paragraph (1) of this section are the
12 Federal lands comprising approximately 46,600
13 acres in Imperial County, California, as generally de-
14 picted in part on a map entitled “Exhibit A, Naval
15 Air Facility, El Centro, California, Land Acquisition
16 Map, Range 2510 (West Mesa)”, dated March 1993;
17 and, in part, on a map entitled “Exhibit B, Naval
18 Air Facility, El Centro, California, Land Acquisition
19 Map, Range 2512 (East Mesa)”, dated March 1993.

20 (c) MAPS AND LEGAL DESCRIPTION.—

21 (1) PUBLICATION AND FILING REQUIRE-
22 MENTS.—As soon as practicable after the date of en-
23 actment of this Act, the Secretary of the Interior
24 shall—

1 (A) publish in the Federal Register a no-
2 tice containing the legal description of the lands
3 withdrawn and reserved by this Authority; and

4 (B) file the maps and legal description of
5 the lands withdrawn and reserved by this Au-
6 thority with the Committee on Energy and Nat-
7 ural Resources of the United States Senate and
8 with the Committee on Resources of the United
9 States House of Representatives.

10 (2) TECHNICAL CORRECTIONS.—Such maps
11 and legal description shall have the same force and
12 effect as if they were included in this Authority: *Pro-*
13 *vided*, That the Secretary of the Interior may correct
14 clerical and typographical errors in such maps and
15 legal description.

16 (3) AVAILABILITY FOR PUBLIC INSPECTION.—
17 Copies of the maps and legal description shall be
18 available for public inspection in the Office of the
19 State Director, California State Office of the Bureau
20 of Land Management, Sacramento, California; Of-
21 fice of the District Manager, California Desert Dis-
22 trict Office of the Bureau of Land Management,
23 Riverside, California; and the Office of the Com-
24 manding Officer, Marine Corps Air Station, Yuma,
25 Arizona.

1 (4) REIMBURSEMENT.—The Secretary of the
2 Navy shall reimburse the Secretary of the Interior
3 for the costs of implementing this section.

4 (d) MANAGEMENT OF WITHDRAWN LAND.—

5 (1) COOPERATIVE AGREEMENT.—The lands and
6 resources shall be managed in accordance with the
7 Cooperative Agreement dated June 29, 1987, among
8 the Bureau of Land Management, the Bureau of
9 Reclamation, and the Department of the Navy as re-
10 vised to conform with provisions of this authority.
11 This Cooperative Agreement shall be reviewed for
12 conformance with this authority and amended, if ap-
13 propriate, within 120 days after enactment of this
14 authority. The term of the Cooperative Agreement
15 shall be amended so that its duration is at least
16 equal to the duration of the withdrawal made by
17 subsection (e) of this authority. The Cooperative
18 Agreement may be reviewed and amended by the
19 managing agencies as necessary.

20 (2) MANAGEMENT BY THE SECRETARY OF THE
21 INTERIOR.—

22 (A) During the period of withdrawal, the
23 Secretary of the Interior shall manage the lands
24 withdrawn under section 2 pursuant to the
25 Federal Land Policy and Management Act of

1 1976 (43 U.S.C. 1701 et seq.) and other appli-
2 cable laws including this authority.

3 (B) To the extent consistent with applica-
4 ble laws, Executive orders, and the Cooperative
5 Agreement referred to in subsection 4(a), the
6 lands withdrawn and reserved under this au-
7 thority may be managed in a manner permit-
8 ting—

9 (i) protection of wildlife and wildlife
10 habitat;

11 (ii) control of predatory and other
12 animals;

13 (iii) the prevention and appropriate
14 suppression of brush and range fires re-
15 sulting from nonmilitary activities; and

16 (iv) geothermal leasing and develop-
17 ment and related power production, min-
18 eral leasing and development, and mineral
19 material sales.

20 (C) The Secretary of the Interior shall
21 manage such lands, in coordination with the
22 Secretary of the Navy, such that:

23 (i) All nonmilitary use of such lands,
24 including the uses described in clause (ii),
25 shall be subject to such conditions and re-

1 restrictions as may be necessary to permit
2 the military use of such lands for the pur-
3 poses specified in or authorized pursuant
4 to this authority.

5 (ii) The Secretary of the Interior may
6 issue any lease, easement, right-of-way, or
7 other authorization with respect to the
8 nonmilitary use of such lands only with the
9 concurrence of the Secretary of the Navy
10 and under the terms of the Cooperative
11 Agreement referred to in paragraph (d)(1).

12 (3) MANAGEMENT BY THE SECRETARY OF THE
13 NAVY.—

14 (A) CLOSURE TO PUBLIC.—

15 (i) If the Secretary of the Navy deter-
16 mines that military operations, public safe-
17 ty, or national security require the closure
18 to public use of any road, trail, or other
19 portion of the lands withdrawn and re-
20 served by this authority, the Secretary of
21 the Navy may take such actions as deter-
22 mined necessary or desirable to effect and
23 maintain such closure.

24 (ii) Any such closure shall be limited
25 to the minimum areas and periods which

1 the Secretary of the Navy determines are
2 required to carry out this subsection.

3 (iii) Before and during any closure
4 under the subsection, the Secretary of the
5 Navy shall—

6 (I) keep appropriate warning no-
7 tices posted and

8 (II) take appropriate steps to no-
9 tify the public concerning such clo-
10 sures.

11 (B) ADDITIONAL MILITARY USES.—Lands
12 withdrawn by subsection (b) may be used for
13 defense-related uses other than those specified
14 in such section. The Secretary of the Navy shall
15 promptly notify the Secretary of the Interior in
16 the event that the lands withdrawn by this au-
17 thority will be used for defense-related purposes
18 other than those specified in the Cooperative
19 Agreement referenced in paragraph (b)(1)(A).
20 Such notification shall indicate the additional
21 use or uses involved, the proposed duration of
22 such uses, and the extent to which such addi-
23 tional military uses of the withdrawn lands will
24 require that additional or more stringent condi-
25 tions or restrictions be imposed on otherwise-

1 permitted nonmilitary uses of withdrawn lands
2 or portions thereof.

3 (e) DURATION OF WITHDRAWAL.—The withdrawal
4 and reservation established by this authority shall termi-
5 nate 25 years after the date of enactment of this section.

6 (f) ONGOING DECONTAMINATION.—Throughout the
7 duration of the withdrawal and reservation made by this
8 authority, and subject to the availability of funding, the
9 Secretary of the Navy shall maintain a program of decon-
10 tamination of lands withdrawn under this authority at
11 least at the level of decontamination activities performed
12 on such lands in fiscal year 1995, subject to other provi-
13 sions of law including the Federal Facilities Compliance
14 Act (106 Stat. 1505, et seq.) and the Defense Environ-
15 mental Restoration Program (10 U.S.C. 1701 et seq.).

16 (g) REQUIREMENTS FOR EXTENSION.—

17 (1) NOTICE AND FILING.—(A) No later than 5
18 years prior to the termination of the withdrawal and
19 reservation established under this authority, the Sec-
20 retary of the Navy shall advise the Secretary of the
21 Interior as to whether or not the Navy has a con-
22 tinuing military need for any or all of the lands
23 withdrawn by this authority after the termination
24 date of such withdrawal and reservation as specified
25 in this authority.

1 (B) If the Secretary of the Navy determines
2 that there will be a continuing military need for any
3 or all of the lands after the withdrawal termination
4 date specified in this authority, the Secretary of the
5 Navy shall file an application for extension of the
6 withdrawal and reservation of the lands in accord-
7 ance with the then existing regulations and proce-
8 dures of the Department of the Interior applicable
9 to extension of withdrawal of lands for military pur-
10 poses and that are consistent with this authority.
11 Such application shall be filed with the Department
12 of the Interior no later than four years prior to the
13 withdrawal termination date as specified in this sec-
14 tion.

15 (2) EXTENSIONS.—The withdrawal and res-
16 ervation established by this authority may not be ex-
17 tended except by an Act or Joint Resolution of the
18 Congress.

19 (h) REQUIREMENTS FOR RELINQUISHMENT.—

20 (1) NOTICE AND FILING.—If, during the period
21 of withdrawal and reservation, the Secretary of the
22 Navy decides to relinquish any or all of the lands
23 withdrawn and reserved by this section, the Sec-
24 retary shall file a notice of intention to relinquish
25 with the Secretary of the Interior.

1 (2) CONTAMINATION.—(A) Prior to the filing of
2 a notice of intention to relinquish pursuant to sub-
3 section (h)(1), the Secretary of the Navy, in con-
4 sultation with the Secretary of the Interior, shall
5 prepare a written determination concerning whether
6 and to what extent the lands are contaminated with
7 explosive, toxic, or other hazardous wastes and sub-
8 stances.

9 (B) A copy of such determination shall be
10 transmitted with the notice of intention to relin-
11 quish.

12 (3) DECONTAMINATION/REMEDIATION.—If any
13 land which is the subject of a notice of intention to
14 relinquish pursuant to paragraph (h)(1) is contami-
15 nated and the Secretary of the Interior, in consulta-
16 tion with the Secretary of the Navy, determines that
17 decontamination/remediation is practicable and eco-
18 nomically feasible, taking into consideration the in-
19 tended future uses and potential value of the land,
20 and that upon decontamination/remediation, the
21 land could be opened to the operation of some or all
22 of the public land laws, including the mining laws,
23 the Secretary of the Navy shall decontaminate/reme-
24 diate the land to the extent that funds are author-
25 ized and appropriated for such purpose and subject

1 to provisions of applicable laws and regulations, in-
2 cluding the Defense Environmental Restoration Pro-
3 gram (10 U.S.C. § 2701 et seq.), the Comprehensive
4 Environmental Response Compensation and Liability
5 Act (42 U.S.C. § 9601 et seq.), and the Solid Waste
6 Disposal Act as amended by the Resource Conserva-
7 tion and Recovery Act of 1976 (42 U.S.C. § 6901 et
8 seq.).

9 (4) ALTERNATIVES.—If the Secretaries of the
10 Navy and the Interior determine either that decon-
11 tamination/remediation of any or all of the lands
12 proposed for relinquishment is not practicable or
13 economically feasible, or that the lands cannot be de-
14 contaminated/remediated sufficiently to allow them
15 to be opened to the operation of the public land
16 laws, or if Congress declines to appropriate funds for
17 decontamination/remediation of the lands, the Sec-
18 retary of the Interior shall not be required to accept
19 the lands proposed for relinquishment.

20 (5) STATUS OF CONTAMINATED LANDS.—(A)
21 If, because of the condition of the lands, the Sec-
22 retary of the Interior declines to accept jurisdiction
23 of the lands proposed for relinquishment pursuant to
24 paragraph (1), or if, at the expiration of the with-
25 drawal made by this authority, the Secretary of the

1 Interior determines that some of the lands with-
2 drawn by this authority are contaminated to an ex-
3 tent which prevents opening such contaminated
4 lands to operation of the public lands laws;

5 (i) the Secretary of the Navy shall take ap-
6 propriate steps to warn the public of the con-
7 taminated state of such lands and any risk as-
8 sociated with entry onto such lands;

9 (ii) after the expiration of the withdrawal,
10 the Secretary of the Navy shall retain jurisdic-
11 tion over the withdrawn lands and shall under-
12 take no activities on such lands, except in con-
13 nection with decontamination/remediation of
14 such lands; and

15 (iii) the Secretary of the Navy shall report
16 to the Secretary of the Interior and to the Con-
17 gress concerning the status of such lands and
18 all actions taken in furtherance of this para-
19 graph.

20 (B) If the lands are subsequently decontami-
21 nated/remediated and the Secretary of the Navy cer-
22 tifies that the lands are safe for nonmilitary uses,
23 the Secretary of the Interior shall reconsider accept-
24 ing jurisdiction over the lands.

1 (6) REVOCATION AUTHORITY.—Notwithstand-
2 ing any other provision of law, the Secretary of the
3 Interior, upon deciding that it is in the public inter-
4 est to accept jurisdiction over the lands proposed for
5 relinquishment, is authorized to accept the relin-
6 quishment by revoking the withdrawal and reserva-
7 tion established by this authority, as it applies to the
8 lands proposed for relinquishment. If the decision is
9 made to accept the relinquishment and revoke the
10 withdrawal and reservation, the Secretary shall pub-
11 lish in the Federal Register an appropriate order
12 which shall—

13 (A) terminate the withdrawal and reserva-
14 tion;

15 (B) constitute official acceptance of full ju-
16 risdiction over the lands by the Secretary of the
17 Interior; and

18 (C) state the date upon which the lands
19 will be opened to the operation of the public
20 land laws, including the mining laws, if appro-
21 priate.

22 (i) DELEGATIONS OF AUTHORITY.—

23 (1) NAVY.—The functions of the Secretary of
24 the Navy under this section may be delegated.

1 (2) INTERIOR.—The functions of the Secretary
2 of the Interior under this section may be delegated,
3 except that the Order referred to in subsection
4 (h)(6) of this section may be approved and signed
5 only by the Secretary of the Interior, the Deputy
6 Secretary of the Interior, or an Assistant Secretary
7 of the Interior.

8 (j) HUNTING, FISHING, AND TRAPPING.—All hunt-
9 ing, fishing, and trapping on the lands withdrawn and re-
10 served by this authority shall be conducted in accordance
11 with the provisions of section 2671 of title 10, United
12 States Code.

13 (k) HOLD HARMLESS.—(1) The United States shall
14 be exempt from all liabilities to non-Federal entities under
15 sections 107 or 113 of the Comprehensive Environmental
16 Response Compensation and Liability Act (42 U.S.C.
17 § 9601 et seq.) or section 7003 of the Resource Conserva-
18 tion and Recovery Act of 1976 (42 U.S.C. § 6901 et seq.)
19 for any mineral or geothermal leasing, or mineral removal
20 activity conducted on lands withdrawn under this author-
21 ity.

22 (2) Any party conducting any mineral or geothermal
23 leasing, or mineral material removal activity on such lands
24 shall indemnify the United States against any costs, fees,
25 damages, or other liabilities, including costs of litigation,

1 arising from or relating to such mineral or geothermal
 2 leasing and mineral material disposal activities, whether
 3 arising under the Comprehensive Environmental Response
 4 Compensation and Liability Act (42 U.S.C. § 9601 et
 5 seq.), the Resource Conservation and Recovery Act of
 6 1976 (42 U.S.C. § 6901 et seq.), or other environmental
 7 laws, which arise from or are related to such activities.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATION

Sec. 2001. Short title.

TITLE XXI—ARMY

Sec. 2101. Authorized Army construction and land acquisition projects.

Sec. 2102. Family housing.

Sec. 2103. Improvements to military family housing units.

Sec. 2104. Authorization of appropriations, Army.

TITLE XXII—NAVY

Sec. 2201. Authorized Navy construction and land acquisition projects.

Sec. 2202. Family housing.

Sec. 2203. Improvements to military family housing units.

Sec. 2204. Authorization of appropriations, Navy.

TITLE XXIII—AIR FORCE

Sec. 2301. Authorized Air Force construction and land acquisition projects.

Sec. 2302. Family housing.

Sec. 2303. Improvements to military family housing units.

Sec. 2304. Authorization of appropriations, Air Force.

TITLE XXIV—DEFENSE AGENCIES

Sec. 2401. Authorized Defense agencies construction and land acquisition projects.

Sec. 2402. Military housing planning and design.

Sec. 2403. Improvements to military family housing units.

Sec. 2404. Military housing improvement program.

Sec. 2405. Energy conservation projects.

Sec. 2406. Authorization of appropriations, Defense agencies.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Sec. 2501. Authorized NATO construction and land acquisition projects.

Sec. 2502. Authorization of appropriations, NATO.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

- Sec. 2601. Authorized Guard and Reserve construction and land acquisition projects.
- Sec. 2602. Authorization of construction projects to be funded with previous-year appropriations.

TITLE XXVII—EXPIRATION AND EXTENSION OF
AUTHORIZATIONS

- Sec. 2701. Expiration of authorizations and amounts required to be specified by law.
- Sec. 2702. Extension of authorizations of certain fiscal year 1994 projects.
- Sec. 2703. Extension of authorizations of certain fiscal year 1993 projects.
- Sec. 2704. Extension of authorizations of certain fiscal year 1992 projects.
- Sec. 2705. Effective date.

1 **DIVISION B—MILITARY CON-**
 2 **STRUCTION AUTHORIZA-**
 3 **TIONS**

4 **SECTION 2001. SHORT TITLE.**

5 This division may be cited as the “Military Construc-
 6 tion Authorization Act for Fiscal Year 1997”.

7 **TITLE XXI—ARMY**

8 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 9 **ACQUISITION PROJECTS.**

10 (a) **INSIDE THE UNITED STATES.**—Using amounts
 11 appropriated pursuant to the authorization of appropria-
 12 tions in section 2104(a)(1), the Secretary of the Army
 13 may acquire real property and carry out military construc-
 14 tion projects for the installations and locations inside the
 15 United States, and in the amounts, set forth in the follow-
 16 ing table:

Army: Inside the United States

State	Installation or Location	Total
California	Camp Roberts	\$5,500,000
	Naval Weapons Station, Concord	\$27,000,000
Colorado	Fort Carson	\$13,000,000

Army: Inside the United States—Continued

State	Installation or Location	Total
District of Columbia	Fort McNair	\$6,900,000
Georgia	Fort Benning	\$53,400,000
	Fort Stewart/Hunter Army Air Field.	\$6,000,000
Kansas	Fort Riley	\$26,000,000
Kentucky	Fort Campbell	\$51,100,000
Texas	Fort Hood	\$40,900,000
Washington	Fort Lewis	\$54,600,000
CONUS Classified	Classified Location	\$4,600,000
	Grand total	\$289,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amount
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2104(a)(2), the Secretary of the Army
4 may acquire real property and carry out military construc-
5 tion projects for the locations outside the United States,
6 and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or location	Total
Italy	Camp Ederle, Vincenza	\$3,100,000
Korea	Camp Casey	\$16,000,000
	Camp Red Cloud	\$14,000,000
Overseas Classified	Overseas Classified	\$64,000,000
	Grand total	\$97,100,000

7 SEC. 2102. FAMILY HOUSING.

8 (a) CONSTRUCTION AND ACQUISITION.—Using
9 amounts appropriated pursuant to the authorization of ap-
10 propriations in section 2104(a)(5)(A), the Secretary of the
11 Army may construct or acquire family housing units (in-
12 cluding land acquisition) at the installations, for the pur-
13 poses, and in the amounts set forth in the following table:

Army: Family Housing

State	Installation or location	Purpose	Total
Hawaii	Schofield Barracks	54 Units	\$10,000,000
North Carolina	Fort Bragg	88 Units	\$9,800,000
Texas	Fort Hood	140 Units	\$18,500,000
		Grand total	\$38,300,000

1 (b) **PLANNING AND DESIGN.**—Using amounts appro-
2 priated pursuant to the authorization of appropriations in
3 section 2104(a)(5)(A), the Secretary of the Army may
4 carry out architectural and engineering services and con-
5 struction design activities with respect to the construction
6 or improvement of family housing units in an amount not
7 to exceed \$2,963,000.

8 **SEC. 2103. 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 2104(a)(5)(A),
13 the Secretary of the Army may improve existing military
14 family housing units in an amount not to exceed
15 \$33,750,000.

16 **SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

17 (a) **IN GENERAL.**—Funds are hereby authorized to
18 be appropriated for fiscal years beginning after September
19 30, 1996, for military construction, land acquisition, and
20 military family housing functions of the Department of the
21 Army in the total amount of \$1,722,202,000 as follows:

1 (1) For military construction projects inside the
2 United States authorized by section 2101(a),
3 \$289,000,000.

4 (2) For the military construction products out-
5 side the United States authorized by section
6 2101(b), \$97,100,000.

7 (3) For unspecified minor military construction
8 projects authorized by section 2805 of title 10,
9 United States Code, \$5,000,000.

10 (4) For architectural and engineering services
11 and construction design under section 2807 of title
12 10, United States Code, \$43,623,000, which in-
13 cludes \$20,000,000 for Host Nation support.

14 (5) For military family housing functions:

15 (A) For construction and acquisition, plan-
16 ning and design, and improvement of military
17 family housing and facilities, \$75,013,000.

18 (B) For support of military family housing
19 (including the functions described in section
20 2833 of title 10, United States Code),
21 \$1,212,466,000.

22 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
23 PROJECTS.—Notwithstanding the cost variations author-
24 ized by section 2853 of title 10, United States Code, and
25 any other cost variation authorized by law, the total cost

1 of all projects carried out under section 2101 of this Act
 2 may not exceed the total amount authorized to be appro-
 3 priated under paragraphs (1) and (2) of subsection (a).

4 **TITLE XXII—NAVY**

5 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 6 **ACQUISITION PROJECTS.**

7 (a) INSIDE THE UNITED STATES.—Using amounts
 8 appropriated pursuant to the authorization of appropria-
 9 tions in section 2204(a)(1), the Secretary of the Navy may
 10 acquire real property and carry out military construction
 11 projects for the installations and locations inside the
 12 United States, and in the amounts, set forth in the follow-
 13 ing table:

Navy: Inside the United States

State	Installation or Location	Total
Arizona	Navy Detachment, Camp Navajo	\$3,920,000
California	Marine Corps Air Station, Camp Pendleton.	\$6,240,000
	Marine Corps Air-Ground Combat Center, Twenty-nine Palms.	\$4,020,000
	Marine Corps Base, Camp Pendleton.	\$51,630,000
	Naval Air Station, North Island	\$86,502,000
	Naval Facility, San Clemente Island	\$17,000,000
	Naval Station, San Diego	\$7,050,000
	Naval Command Control & Ocean Surveillance Center, San Diego.	\$1,960,000
Connecticut	Naval Submarine Base, New London.	\$13,830,000
District of Columbia	Naval District, Washington	\$19,300,000
Florida	Naval Air Station, Key West	\$2,250,000
Hawaii	Naval Station, Pearl Harbor	\$19,600,000
	Naval Submarine Base, Pearl Harbor.	\$35,890,000
Idaho	Naval Surface Warfare Center, Bayview.	\$7,150,000
Illinois	Naval Training Center, Great Lakes	\$22,900,000
Maryland	Naval Air Warfare Center, Patuxent River.	\$1,270,000
North Carolina	Marine Corps Air Station, Cherry Point.	\$1,630,000
	Marine Corps Air Station, New River.	\$17,040,000
	Marine Corps Base, Camp LeJeune	\$20,750,000
Texas	Naval Station, Ingleside	\$16,850,000

Navy: Inside the United States—Continued

State	Installation or Location	Total
Virginia	Naval Air Station, Kingsville	\$1,810,000
	Armed Forces Staff College, Norfolk	\$12,900,000
	Marine Corps Combat Dev Com, Quantico.	\$14,570,000
Washington	Naval Station, Norfolk	\$35,520,000
	Naval Station, Everett	\$25,740,000
CONUS Various	Defense Access Roads	\$300,000
	Grand Total	\$447,662,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2204(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	Total
Bahrain	Administrative Support Unit, Bah- rain.	\$5,980,000
Greece	Naval Support Activity, Souda Bay	\$7,050,000
Italy	Naval Air Station, Sigonella	\$15,700,000
	Naval Support Activity, Naples	\$8,620,000
United Kingdom	Joint Maritime Communications Center, St. Mawgan.	\$4,700,000
	Grand Total	\$42,050,000

8 **SEC. 2202. FAMILY HOUSING.**

9 (a) CONSTRUCTION AND ACQUISITION.—Using
10 amounts appropriated pursuant to the authorization of ap-
11 propriations in section 2204(a)(6)(A), the Secretary of the
12 Navy may construct or acquire family housing units (in-
13 cluding land acquisition) at the installations, for the pur-
14 poses, and in the amounts, set forth in the following table:

Navy: Family Housing

State	Installation or Location	Purpose	Total
Arizona	Marine Corps Air Station, Yuma.	Support	\$709,000
California	Marine Corps Base, Camp Pendleton.	128 Units	\$19,483,000
	Naval Air Station, Lemoore.	276 Units	\$39,837,000
	Navy Public Works Center, San Diego.	366 Units	\$48,719,000
	Marine Corps Air-Ground Combat Center, Twenty-nine Palms.	Support	\$2,938,000
Hawaii	Marine Corps Air Station, Kaneohe Bay.	54 Units	\$11,676,000
	Navy Public Works Center, Pearl Harbor.	264 Units	\$52,586,000
Maryland	Naval Air Warfare Center, Patuxent River.	Support	\$1,233,000
North Carolina	Marine Corps Base, Camp LeJeune.	Support	\$845,000
Virginia	AEGIS Combat Systems Center, Wallops Island.	20 Units	\$2,975,000
	Naval Security Group Activity, Northwest.	Support	\$741,000
Washington	Naval Station, Everett	100 Units	\$15,015,000
	Naval Submarine Base, Bangor.	Support	\$934,000
Grand Total			\$197,691,000

1 (b) PLANNING AND DESIGN.—Using amounts appro-
 2 priated pursuant to the authorization of appropriation in
 3 section 2204(a)(6)(A), the Secretary of the Navy 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 \$22,552,000.

8 **SEC. 2203. 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 2204(a)(6)(A),

1 the Secretary of the Navy may improve existing military
2 family housing units in an amount not to exceed
3 \$183,483,000.

4 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

5 (a) IN GENERAL.—Funds are hereby authorized to
6 be appropriated for fiscal years beginning after September
7 30, 1996, for military construction, land acquisition, and
8 military family housing functions of the Department of the
9 Navy in the total amount of \$1,943,313,000 as follows:

10 (1) For military construction projects inside the
11 United States authorized by section 2201(a),
12 \$447,622,000.

13 (2) For military construction projects outside
14 the United States authorized by section 2201(b),
15 \$42,050,000.

16 (3) For unspecified minor construction projects
17 authorized by section 2805 of title 10, United States
18 Code, \$5,115,000.

19 (4) For architectural and engineering services
20 and construction design under section 2807 of title
21 10, United States Code, \$42,559,000.

22 (5) For military construction projects which can
23 be financed using unobligated prior-year appropria-
24 tions, Authorization of Appropriations is reduced by
25 \$12,000,000.

1 (6) 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, \$403,726,000.

5 (B) For support of military housing (in-
6 cluding functions described in section 2833 of
7 title 10, United States Code), \$1,014,241,000.

8 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
9 PROJECTS.—Notwithstanding the cost variations author-
10 ized by section 2853 of title 10, United States Code, and
11 any other cost variation authorized by law, the total cost
12 of all projects carried out under section 2201 of this Act
13 may not exceed the total amount authorized to be appro-
14 priated under paragraphs (1) and (2) of subsection (a).

15 **TITLE XXIII—AIR FORCE**

16 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**
17 **LAND ACQUISITION PROJECTS.**

18 (a) INSIDE THE UNITED STATES.—Using amounts
19 appropriated pursuant to the authorization of appropria-
20 tions in section 2304(a)(1), the Secretary of the Air Force
21 may acquire real property and carry out military construc-
22 tion projects for the installations and locations inside the
23 United States, and in the amounts, set forth in the follow-
24 ing table:

Air Force: Inside the United States

State	Installation or Location	Total
Alabama	Maxwell Air Force Base	\$7,875,000

Air Force: Inside the United States—Continued

State	Installation or Location	Total
Alaska	Elmendorf Air Force Base	\$21,530,000
Arizona	Davis-Monthan Air Force Base	\$9,920,000
Arkansas	Little Rock Air Force Base	\$18,105,000
California	Beale Air Force Base	\$14,425,000
	Edwards Air Force Base	\$20,080,000
	McClellan Air Force Base	\$8,795,000
	Travis Air Force Base	\$7,980,000
	Vandenberg Air Force Base	\$3,290,000
Colorado	Buckley Air National Guard Base ...	\$17,960,000
	Falcon Air Force Base	\$2,095,000
	Peterson Air Force Base	\$20,720,000
	US Air Force Academy	\$10,065,000
Delaware	Dover Air Force Base	\$7,980,000
Florida	Elgin Air Force Base	\$4,590,000
	Eglin Auxiliary Field 9	\$6,825,000
	Patrick Air Force Base	\$2,595,000
Georgia	Robins Air Force Base	\$18,645,000
Idaho	Mountain Home Air Force Base	\$6,545,000
Kansas	McConnell Air Force Base	\$8,480,000
Louisiana	Barksdale Air Force Base	\$4,890,000
Maryland	Andrews Air Force Base	\$5,990,000
Mississippi	Keesler Air Force Base	\$14,465,000
Nevada	Indian Springs Air Force Auxiliary Air Field.	\$4,690,000
New Jersey	McGuire Air Force Base	\$8,080,000
North Carolina	Pope Air Force Base	\$5,915,000
	Seymour Johnson Air Force Base ...	\$11,280,000
North Dakota	Grand Forks Air Force Base	\$12,470,000
	Minot Air Force Base	\$3,940,000
Ohio	Wright-Patterson Air Force Base ...	\$7,400,000
Oklahoma	Tinker Air Force Base	\$9,880,000
South Carolina	Charleston Air Force Base	\$37,410,000
	Shaw Air Force Base	\$5,665,000
Tennessee	Arnold Engineering Development Center.	\$6,781,000
Texas	Dyess Air Force Base	\$5,895,000
	Kelly Air Force Base	\$3,250,000
	Lackland Air Force Base	\$9,413,000
	Sheppard Air Force Base	\$9,400,000
Utah	Hill Air Force Base	\$3,690,000
Virginia	Langley Air Force Base	\$8,005,000
Washington	Fairechild Air Force Base	\$18,155,000
	McChord Air Force Base	\$57,065,000
	Grand Total	\$472,229,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2304(a)(2), the Secretary of the Air Force
4 may acquire real property and carry out military construc-
5 tion projects for the installations and locations outside the

1 United States, and in the amounts, set forth in the follow-
 2 ing table:

Air Force: Outside the United States

Country	Installation or Location	Total
Germany	Ramstein Air Force Base	\$5,370,000
	Spangdahlem Air Base	\$1,890,000
Italy	Aviano Air Base	\$10,060,000
Korea	Osan Air Base	\$9,780,000
Turkey	Incirlik Air Base	\$7,160,000
United Kingdom	Royal Air Force, Croughton	\$1,740,000
	Royal Air Force, Lakenheath	\$17,525,000
	Royal Air Force, Mildenhall	\$6,195,000
Overseas Classified	Overseas Classified	\$18,395,000
	Grand Total	\$78,115,000

3 **SEC. 2302. FAMILY HOUSING.**

4 (a) CONSTRUCTION AND ACQUISITION.—Using
 5 amounts appropriated pursuant to the authorization of ap-
 6 propriations in section 2304(a)(5)(A), the Secretary of the
 7 Air Force may construct or acquire family housing units
 8 (including land acquisition) at the installations, for the
 9 purposes, and in the amounts set forth in the following
 10 table:

Air Force: Family Housing

State	Installation or Location	Purpose	Total
Alaska	Eielson Air Force Base	72 Units	\$21,127,000
	Support	\$2,950,000
California	Beale Air Force Base	56 Units	\$8,893,000
	Travis Air Force Base	70 Units	\$8,631,000
	Vandenberg Air Force Base.	112 Units	\$20,891,000
District of Columbia	Bolling Air Force Base	40 Units	\$5,000,000
Florida	Eglin Auxiliary Field 9	1 Unit	\$249,000
	MacDill Air Force Base	56 Units	\$8,822,000
	Patrick Air Force Base	Support	\$2,430,000
Louisiana	Barksdale Air Force Base.	80 Units	\$9,570,000
Missouri	Whiteman Air Force Base.	68 Units	\$9,600,000
New Mexico	Kirtland Air Force Base.	50 Units	\$5,450,000
North Dakota	Grand Forks Air Force Base.	66 Units	\$7,784,000
	Minot Air Force Base	46 Units	\$8,740,000
Texas	Lackland Air Force Base.	50 Units	\$6,500,000

Air Force: Family Housing—Continued

State	Installation or Location	Purpose	Total
Washington McChord Air Force Base.	Support	\$800,000
		40 Units	\$5,659,000
		Grand Total	\$133,096,000

1 (b) **PLANNING AND DESIGN.**—Using amounts appro-
2 priated pursuant to the authorization of appropriations in
3 section 2304(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 \$9,590,000.

8 **SEC. 2303. 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 2304(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 \$88,550,000.

16 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
17 **FORCE.**

18 (a) **IN GENERAL.**—Funds are hereby authorized to
19 be appropriated for fiscal years beginning after September
20 30, 1996, for military construction, land acquisition, and
21 military family housing functions of the Department of the

1 Air Force in the total amount of \$1,663,769,000 as fol-
2 lows:

3 (1) For military construction projects inside the
4 United States authorized by section 2301(a),
5 \$472,229,000.

6 (2) For military construction projects outside
7 the United States authorized by section 2301(b),
8 \$78,115,000.

9 (3) For unspecified minor construction projects
10 authorized by section 2805 of title 10, United States
11 Code, \$9,328,000.

12 (4) For architectural and engineering services
13 and construction design under section 2807 of title
14 10, United States Code, \$43,387,000.

15 (5) For military housing functions:

16 (A) For construction and acquisition, plan-
17 ning and design and improvement of military
18 family housing and facilities, \$231,236,000.

19 (B) For support of military family housing
20 (including the functions described in section
21 2833 of title 10, United States Code),
22 \$829,474,000.

23 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
24 PROJECTS.—Notwithstanding the cost variations author-
25 ized by section 2853 of title 10, United States Code, and

1 any other cost variation authorized by law, the total cost
 2 of all projects carried out under section 2301 of this Act
 3 may not exceed the total amount authorized to be appro-
 4 priated under paragraphs (1) and (2) of subsection (a).

5 **TITLE XXIV—DEFENSE**
 6 **AGENCIES**

7 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRU-**
 8 **CTION AND LAND ACQUISITION PROJECTS.**

9 (a) INSIDE THE UNITED STATES.—Using amounts
 10 appropriated pursuant to the authorization of appropria-
 11 tions in section 2406(a)(1), the Secretary of Defense may
 12 acquire real property and carry out military construction
 13 projects for the installations and locations inside the
 14 United States, and in the amounts, set forth in the follow-
 15 ing table:

Defense Agencies: Inside the United States

Agency	Installation or location	Total
Chemical Demilitarization	Pueblo Army Depot, Colorado	\$179,000,000
	Defense Finance & Account- ing Service. Charleston, South Carolina	\$6,200,000
	Gentile Air Force Station, Ohio	\$11,400,000
	Griffis Air Force Base, New York ...	\$10,200,000
	Loring Air Force Base, Maine	\$6,900,000
	Naval Training Center, Orlando, Florida.	\$2,600,000
	Norton Air Force Base, California	\$13,800,000
	Offutt Air Force Base, Nebraska	\$7,000,000
	Rock Island Arsenal, Illinois	\$14,400,000
Defense Intelligence Agency	Bolling Air Force Base, District of Columbia.	\$6,790,000
Defense Logistics Agency	Altus Air Force Base, Oklahoma	\$3,200,000

Defense Agencies: Inside the United States—Continued

Agency	Installation or location	Total
Defense Medical Facilities Office.	Andrews Air Force Base, Maryland	\$12,100,000
	Barksdale Air Force Base, Louisiana.	\$4,300,000
	Defense Construction Supply Center, Columbus, Ohio.	\$600,000
	Defense Distribution San Diego, California.	\$15,700,000
	Elmendorf Air Force Base, Alaska	\$18,000,000
	McConnell Air Force Base, Kansas	\$2,200,000
	Naval Air Facility, El Centro, California.	\$5,700,000
	Naval Air Station, Fallon, Nevada	\$2,100,000
	Naval Air Station, Oceana, Virginia	\$1,500,000
	Shaw Air Force Base, South Carolina.	\$2,900,000
	Travis Air Force Base, California	\$15,200,000
	Andrews Air Force Base Maryland	\$15,500,000
	Charleston Air Force Base, South Carolina.	\$1,300,000
	Fort Bliss, Texas	\$6,600,000
	Fort Bragg, North Carolina	\$11,400,000
	Fort Hood, Texas	\$1,950,000
	Marine Corps Base, Camp Pendleton, California.	\$3,300,000
Maxwell Air Force Base, Alabama ...	\$25,000,000	
Naval Air Station, Key West, Florida.	\$15,200,000	
Naval Air Station, Norfolk, Virginia	\$1,250,000	
Naval Air Station, Lemoore, California.	\$38,000,000	
National Security Agency Special Operations Command	Fort George Meade, Maryland	\$25,200,000
	Fort Bragg, North Carolina	\$14,000,000
	Fort Campbell, Kentucky	\$4,200,000
	Naval Amphibious Base, Coronado, California.	\$7,700,000
	Naval Station, Ford Island, Pearl Harbor, Hawaii.	\$12,800,000
	Grand Total	\$525,190,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropri-
3 ations in section 2406(a)(2), the Secretary of Defense 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:

Defense Agencies: Outside the United States

Agency	Installation or Location	Total
Defense Logistics Agency	Moron Air Base, Spain	\$12,958,000
	Naval Air Station, Sigonella, Italy ...	\$6,100,000
Defense Medical Facilities Office.	Administrative Support Unit, Bah- rain, Bahrain.	\$4,600,000
	Grand Total	\$23,658,000

1 SEC. 2402. MILITARY HOUSING PLANNING AND DESIGN.

2 Using amounts appropriated pursuant to the author-
3 ization of appropriation in section 2406(a)(14)(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
8 \$500,000.

**9 SEC. 2403. IMPROVEMENTS TO MILITARY FAMILY HOUSING
10 UNITS.**

11 Subject to section 2825 of title 10, United States
12 Code, and using amounts appropriated pursuant to the
13 authorization of appropriation in section 2406(a)(14)(A),
14 the Secretary of Defense may improve existing military
15 family housing units in an amount not to exceed
16 \$3,871,000.

17 SEC. 2404. MILITARY HOUSING IMPROVEMENT PROGRAM.

18 (a) AVAILABILITY OF FUNDS FOR INVESTMENT.—Of
19 the amount authorized to be appropriated pursuant to sec-
20 tion 2406(a)(14)(C), \$20,000,000 shall be available for
21 crediting to the Department of Defense Family Housing

1 Improvement Fund established by section 2883(a)(1) of
2 title 10, United States Code.

3 (b) USE OF FUNDS.—The Secretary of Defense may
4 use funds credited to the Department of Defense Family
5 Housing Improvement Fund under subsection (a) to carry
6 out any activities authorized by subchapter IV of chapter
7 169 of such title with respect to military family housing.

8 **SEC. 2405. ENERGY CONSERVATION PROJECTS.**

9 Using amounts appropriated pursuant to the author-
10 ization of appropriations in section 2406(a)(12), the Sec-
11 retary of Defense may carry out energy conservation
12 projects under section 2865 of title 10, United States
13 Code.

14 **SEC. 2406. AUTHORIZATION OF APPROPRIATIONS, DE-**
15 **FENSE AGENCIES.**

16 (a) IN GENERAL.—Funds are hereby authorized to
17 be appropriated for fiscal years beginning after September
18 30, 1996, for military construction, land acquisition, and
19 military family housing functions of the Department of
20 Defense (other than the military departments), in the total
21 amount of \$3,411,936,000 as follows:

22 (1) For military construction projects inside the
23 United States authorized by section 2401(a),
24 \$362,087,000.

1 (2) For military construction projects outside
2 the United States authorized by section 2401(a),
3 \$23,658,000.

4 (3) For military construction projects at Naval
5 Hospital, Portsmouth, Virginia, hospital replace-
6 ment, authorized by section 2401(a) of the Military
7 Construction Authorization Act for Fiscal Years
8 1990 and 1991 (division B of Public Law 101–189,
9 103 Stat. 1640), \$24,000,000.

10 (4) For military construction projects at Walter
11 Reed Army Institute of Research, Maryland, hospital
12 replacement, authorized by section 2401(a) of the
13 Military Construction Authorization Act for Fiscal
14 Year 1993 (division B of Public Law 102–484; 106
15 Stat. 2599), \$92,000,000.

16 (5) For military construction projects at Fort
17 Bragg, North Carolina, hospital replacement, au-
18 thorized by section 2401(a) of the Military Construc-
19 tion Authorization Act for Fiscal Year 1993 (divi-
20 sion B of Public Law 102–484; 106 Stat. 2599),
21 \$89,000,000.

22 (6) For military construction projects at Pine
23 Bluff Arsenal, Arkansas, authorized by section
24 2401(a) of the Military Construction Authorization

1 Act for Fiscal Year 1995 (division B of Public Law
2 103–337; 108 Stat. 3040), \$46,000,000.

3 (7) 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 Public Law
7 103–337; 108 Stat. 3040), \$64,000,000.

8 (8) For military construction projects at De-
9 fense Finance and Accounting Service, Columbus,
10 Ohio, authorized by section 2401(a) of the Military
11 Construction Authorization Act of Fiscal Year 1996
12 (division B of Public Law 104–106: 110 Stat. 535),
13 \$20,822,000.

14 (9) For unspecified minor construction projects
15 under section 2805 of title 10, United States Code,
16 \$21,874,000.

17 (10) For contingency construction projects of
18 the Secretary of Defense under section 2804 of title
19 10, United States Code, \$9,500,000.

20 (11) For architectural and engineering services
21 and construction design under section 2807 of title
22 10, United States Code, \$12,239,000.

23 (12) For Energy Conservation projects author-
24 ized by section 2405, \$47,765,000.

1 (13) For base closure and realignment activities
2 as authorized by the Defense Base Closure and Re-
3 alignment Act of 1990 (part A of title XXIX of
4 Public Law 101–510; 10 U.S.C. 2687 note),
5 \$2,507,476,000.

6 (14) For military family housing functions:

7 (A) For improvement and planning of mili-
8 tary family housing and facilities, \$4,371,000.

9 (B) For support of military housing (in-
10 cluding functions described in section 2833 of
11 title 10, United States Code), \$30,963,000, of
12 which not more than \$25,637,000 may be obli-
13 gated or expended for the leasing of military
14 family housing units worldwide.

15 (C) For the Family Housing Improvement
16 Fund as authorized by section 2404(a),
17 \$20,000,000.

18 (D) For the Homeowners Assistance Pro-
19 gram as authorized by section 2832 of title 10,
20 United States Code, \$36,181,000, to remain
21 available until expended.

22 (b) LIMITATION OF TOTAL COST OF CONSTRUCTION
23 PROJECTS.—Notwithstanding the cost variation author-
24 ized by section 2853 of title 10, United States Code, and
25 any other cost variations authorized by law, the total cost

1 of all projects carried out under section 2401 of this Act
2 may not exceed—

3 (1) the total amount authorized to be appro-
4 priated under paragraphs (1) and (2) of subsection
5 (a);

6 (2) \$161,503,000 (the balance of the amount
7 authorized under section 2401(a) for the construc-
8 tion of a chemical demilitarization facility at Pueblo
9 Army Depot in Colorado); and

10 (3) \$1,600,000 (the balance of the amount au-
11 thORIZED under section 2401(a) for the construction
12 of a Medical/Dental clinic replacement, Key West
13 Naval Air Station, Florida).

14 **TITLE XXV—NORTH ATLANTIC**
15 **TREATY ORGANIZATION SE-**
16 **CURITY INVESTMENT PRO-**
17 **GRAM**

18 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
19 **ACQUISITION PROJECTS.**

20 The Secretary of Defense may make contributions for
21 the North Atlantic Treaty Organization Security Invest-
22 ment Program as provided in section 2806 of title 10,
23 United States Code, in an amount not to exceed the sum
24 of the amount authorized to be appropriated for this pur-
25 pose in section 2502 and the amount collected from the

1 North Atlantic Treaty Organization as a result of con-
2 struction previously financed by the United States.

3 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

4 Funds are hereby authorized to be appropriated for
5 fiscal years beginning after September 30, 1996, for con-
6 tributions by the Secretary of Defense under section 2806
7 of title 10, United States Code, for the share of the United
8 States of the cost of projects for the North Atlantic Treaty
9 Security Investment Program as authorized by section
10 2501, in the amount of \$197,000,000.

11 **TITLE XXVI—GUARD AND**
12 **RESERVE FORCES FACILITIES**

13 **SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUC-**
14 **TION AND LAND ACQUISITION PROJECTS.**

15 There are authorized to be appropriated for fiscal
16 years beginning after September 30, 1996, for the costs
17 of acquisition, architectural and engineering services, and
18 construction of facilities for the Guard and Reserve
19 Forces, and for contributions therefor, under chapter 133
20 of title 10, United States Code (including the cost of ac-
21 quisition of land for those facilities), the following
22 amounts:

23 (1) For the Department of the Army—

24 (A) for the Army National Guard of the
25 United States, \$7,600,000; and

1 (B) for the Army Reserve, \$48,459,000.

2 (2) For the Department of the Navy, for the
3 Naval and Marine Corps Reserve, \$10,983,000.

4 (3) For the Department of the Air Force—

5 (A) for the Air National Guard of the
6 United States, \$75,394,000; and

7 (B) for the Air Force Reserve,
8 \$51,655,000.

9 **SEC. 2602. AUTHORIZATION OF CONSTRUCTION PROJECTS**

10 **TO BE FUNDED WITH PREVIOUS-YEAR AP-**

11 **PROPRIATIONS.**

12 The following projects and architectural and engi-
13 neering services and construction design are authorized
14 using prior year appropriations:

15 (1) Army National Guard:

16 (A) Hastings Training Range, Nebraska,
17 Modified Record Fire and Multipurpose Ma-
18 chine Gun Range, \$1,250,000.

19 (B) Bismarck, North Dakota, Aviation
20 Support Facility and Armory Complex Expans-
21 sion, \$3,650,000.

22 (C) Of the total amount required for archi-
23 tectural and engineering services and construc-
24 tion design, \$1,800,000 is authorized using
25 prior appropriations.

1 **TITLE XXVII—EXPIRATION AND**
2 **EXTENSION OF AUTHORIZA-**
3 **TIONS**

4 **SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND**
5 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
6 **LAW.**

7 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE
8 YEARS.—Except as provided in subsection (b), all author-
9 izations contained in titles XXI through XXVI for military
10 construction projects, land acquisition, family housing
11 projects and facilities, and contributions to the North At-
12 lantic Treaty Organization Infrastructure program (and
13 authorizations of appropriations therefor) shall expire on
14 the later of—

15 (1) October 1, 1999; or

16 (2) the date for the enactment of an Act au-
17 thorizing funds for military construction for fiscal
18 year 2000.

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 In-
23 frastructure program (and authorizations of appropria-
24 tions therefor), for which appropriated funds have been
25 obligated before the later of—

- 1 (1) October 1, 1999; or
- 2 (2) the date of the enactment of an Act author-
- 3 izing funds for fiscal year 2000 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. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 9 **FISCAL YEAR 1994 PROJECTS.**

10 (a) EXTENSIONS.—Notwithstanding section 2701 of
 11 the Military Construction Authorization Act for Fiscal
 12 Year 1994 (division B of Public Law 103–160, 107 Stat.
 13 1880), authorizations for the projects set forth in the ta-
 14 bles in subsection (b), as provided in title XXI, XXII, and
 15 XXIII of that Act, shall remain in effect until October
 16 1, 1997, or the date of the enactment of an Act authoriz-
 17 ing funds for military construction for fiscal year 1998,
 18 whichever is later.

19 (b) TABLES.—The tables referred to in subsection (a)
 20 are as follows:

Army: Extension of 1994 Project Authorizations

State	Installation or Loca- tion	Project	Amount
New Jersey	Picatinny Arsenal	Advance War- head Devel- opment Fa- cility.	\$4,400,000
North Carolina	Fort Bragg	Land Acquisi- tion.	\$15,000,000
Wisconsin	Fort McCoy	Family Hous- ing Construc- tion (16 Units).	\$2,950,000

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
New Jersey	Earle Naval Weapons Station.	Explosives Holding Yard.	\$1,290,000
Virginia	Oceana Naval Air Station.	Jet Engine Test Cell Replacement.	\$5,300,000
Various	Various Locations	Land Acquisition Inside The U.S.	\$540,000
Various	Various Locations	Land Acquisition Outside The U.S.	\$800,000

Air Force: Extension of 1994 Project Authorizations

State/Country	Installation or Location	Project	Amount
Alaska	Eielson Air Force Base	Upgrade Water Treatment Plant.	\$3,750,000
	Elmendorf Air Force Base.	Corrosion Control Facility.	\$5,975,000
California	Beale Air Force Base	Educational Center.	\$3,150,000
Florida	Tyndall Air Force Base	Base Supply Logistics Center.	\$2,600,000
Mississippi	Keesler Air Force Base	Upgrade Student Dormitory.	\$4,500,000
North Carolina	Pope Air Force Base ...	Add To And Alter Dormitories.	\$4,300,000
Virginia	Langley Air Force Base	Fire Station	\$3,850,000

1 SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN
2 FISCAL YEAR 1993 PROJECTS.

3 (a) EXTENSIONS.—Notwithstanding section 2701 of
4 the Military Construction Authorization Act for Fiscal
5 Year 1993 (division B of Public Law 102–484, 106 Stat.
6 2602), authorizations for the projects set forth in the ta-
7 bles in subsection (b), as provided in section 2101, 2301,
8 or 2601 of that Act or in section 2201 of that Act and

1 extended by the Military Construction Authorization Act
 2 for Fiscal Year 1996, shall remain in effect until October
 3 1, 1997, or the date of the enactment of an Act authoriz-
 4 ing funds for military construction for fiscal year 1998,
 5 whichever is later.

6 (b) TABLES.—The tables referred to in subsection (a)
 7 are as follows:

Army: Extension of 1993 Project Authorizations

State/Country	Installation or Location	Project	Amount
Arkansas	Pine Bluff Arsenal	Ammunition Support Facility.	\$15,000,000

Air Force: Extension of 1993 Project Authorizations

State/Country	Installation or Location	Project	Amount
Portugal	Lajes Field	Water Wells	\$865,000

8 **SEC. 2704. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 9 **FISCAL YEAR 1992 PROJECTS.**

10 (a) EXTENSIONS.—Notwithstanding section 2701 of
 11 the Military Construction Authorization Act for Fiscal
 12 Year 1992 (division B of Public Law 102–190 105 Stat.
 13 1535), authorizations for the projects set forth in the ta-
 14 bles in subsection (b), as provided in title XXI of that
 15 Act and extended by the Military Construction Authoriza-
 16 tion Act for Fiscal Year 1995 and the Military Construc-
 17 tion Authorization Act for Fiscal Year 1996, shall remain
 18 in effect until October 1, 1997, or the date of the enact-
 19 ment of an Act authorizing funds for military construction
 20 for fiscal year 1998, whichever is later.

1 (b) TABLES.—The tables referred to in subsection (a)
2 are as follows:

Army: Extension of 1992 Project Authorizations

State/Country	Installation or Location	Project	Amount
Oregon	Umatilla Army Depot	Ammunition Demilitariza- tion Support Facility.	\$3,600,000
	Umatilla Army Depot	Ammunition Demilitariza- tion Utilities.	\$7,500,000

3 **SEC. 2705. EFFECTIVE DATE.**

4 Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI
5 shall take effect on the later of—

6 (1) October 1, 1996; or

7 (2) the date of the enactment of this Act.

8 **TITLE XXVIII—GENERAL**
9 **PROVISIONS**

10 **Subtitle A—Military Construction**
11 **Program and Military Family**
12 **Housing Changes**

13 **SEC. 2801. INFLATIONARY ADJUSTMENTS TO MINOR CON-**
14 **STRUCTION AUTHORITY.**

15 (a) ACTIVE COMPONENT UNSPECIFIED MINOR CON-
16 STRUCTION USING OPERATION AND MAINTENANCE
17 FUNDS.—Section 2805(c)(1) of title 10, United States
18 Code, is amended by striking out “\$300,000” and insert-
19 ing in lieu thereof “\$350,000”.

20 (b) RESERVE COMPONENT UNSPECIFIED MINOR
21 CONSTRUCTION.—Section 18233a(a)(1) of title 10,

1 United States Code, is amended by striking out
2 “\$400,000” and inserting in lieu thereof “\$1,500,000”.

3 (c) RESERVE COMPONENT UNSPECIFIED MINOR
4 CONSTRUCTION USING OPERATION AND MAINTENANCE
5 FUNDS.—Section 18233a(b) of title 10, United States
6 Code, is amended by striking out “\$300,000” and insert-
7 ing in lieu thereof “\$350,000”.

8 **SEC. 2802. IMPROVEMENTS TO FAMILY HOUSING UNITS.**

9 (a) AUTHORITY.—Section 2825(a)(2) of title 10,
10 United States Code, is amended—

11 (1) by inserting “major” before “maintenance”;
12 and

13 (2) by inserting “(excluding day-to-day mainte-
14 nance and repair)” before “to be accomplished”.

15 (b) LIMITATION.—Section 2825(b)(2) of title 10,
16 United States Code, is amended—

17 (1) by striking out “repairs” and inserting in
18 lieu thereof “major maintenance or repair work (ex-
19 cluding day-to-day maintenance and repair)”;

20 (2) by inserting “, out of the five-foot line of a
21 housing unit,” before “in connection with (A)”; and

22 (3) by inserting “, drives,” after “roads”.

1 **Subtitle B—Base Closure and**
2 **Realignment and Environment**

3 **SEC. 2805. CONTRACTING FOR CERTAIN SERVICES AT FA-**
4 **CILITIES REMAINING ON CLOSED**
5 **INSTALLATIONS.**

6 (a) AUTHORITY UNDER 1988 ACT.—Section
7 204(b)(8)(A) of the Defense Authorization Amendments
8 and Base Closure and Realignment Act (Title II of Public
9 Law 100–526; 10 U.S.C. 2687 note), is amended by in-
10 serting “or at facilities remaining on installations closed
11 under this title” after “under this title”.

12 (b) AUTHORITY UNDER 1990 ACT.—Section
13 2905(b)(8)(A) of the Defense Base Closure and Realign-
14 ment Act of 1990 (part A of Title XXIX of Public Law
15 101–510; 10 U.S.C. 2687 note), is amended by inserting
16 “or at facilities remaining on installations closed under
17 this part” after “under this part”.

18 **SEC. 2806. PAYMENT OF STIPULATED PENALTIES ASSESSED**
19 **UNDER CERCLA.**

20 The Secretary of Defense may pay from funds appro-
21 priated to the Department of Defense Base Closure Ac-
22 count (Part II), not more than \$50,000 as payment of
23 stipulated civil penalties assessed under the Comprehen-
24 sive Environmental Response, Compensation, and Liabil-

1 ity Act of 1980 (42 U.S.C. 9601 et seq.) against Loring
2 Air Force Base, Maine.

3 **Subtitle C—Land Conveyance**

4 **SEC. 2807. TRANSFER OF UTILITY SYSTEMS AT BLUEGRASS** 5 **ARMY DEPOT, KENTUCKY.**

6 (a) **AUTHORITY TO CONVEY.**—The Secretary of the
7 Army may convey to the City of Richmond, Kentucky
8 (hereinafter the “City”), or to Madison County (herein-
9 after the “County”), all right, title, and interest of the
10 United States in and to a parcel of real property located
11 at Blue Grass Army Depot, Kentucky, consisting of ap-
12 proximately ____ acres, and all improvements located
13 thereon. The parcel is improved with a sewage treatment
14 plant, sludge disposal facilities, and a sewage collection
15 system.

16 (b) **RELATED EASEMENTS.**—The Secretary may also
17 grant to the City or the County any easement that is nec-
18 essary for access to the real property conveyed under sub-
19 section (a) for operation and maintenance of the facilities
20 located thereon.

21 (c) **REQUIREMENT RELATING TO CONVEYANCE.**—
22 The Secretary may not exercise the authority granted by
23 subsection (a) unless and until the City or the County
24 agrees to accept all improvements in their existing condi-
25 tions at the time of conveyance.

1 (d) CONDITION OF CONVEYANCE.—The conveyance
2 authorized by subsection (a) is subject to the following
3 conditions:

4 (1) That the City or the County provide water
5 service to Blue Grass Army Depot, Kentucky at a
6 rate mutually agreed upon by the Secretary and the
7 City or the County and approved by the appropriate
8 Federal or State regulatory authority.

9 (2) That the City or the County comply with all
10 applicable environmental laws and regulations (in-
11 cluding any permit or license requirements) in the
12 operation and maintenance of the improvements.

13 (3) That the City or the County assume full re-
14 sponsibility for operation, maintenance, and repair
15 of the improvements and for compliance with all ap-
16 plicable regulatory requirements.

17 (4) That the City or the County not commence
18 any expansion of the improvements without the prior
19 approval of the Secretary.

20 (e) DESCRIPTION OF PROPERTY.—The exact legal
21 description of the real property to be conveyed under sub-
22 section (a), including the improvements located thereon,
23 and of any easements granted under subsection b., shall
24 be determined by a survey and other means satisfactory
25 to the Secretary. The cost of such survey and other serv-

1 ices performed at the direction of the Secretary under the
2 authority of this subsection, shall be borne by the City
3 or the County.

4 (f) **ADDITIONAL TERMS AND CONDITIONS.**—The Sec-
5 retary may require such additional terms and conditions
6 in connection with the conveyance under subsection (a)
7 and the grant of any easement under subsection b. as the
8 Secretary considers appropriate to protect the interests of
9 the United States.

10 **SEC. 2808. TRANSFER OF UTILITY SYSTEMS AT CAMP**
11 **PARKS, CALIFORNIA.**

12 (a) **AUTHORITY TO CONVEY.**—The Secretary of the
13 Army may convey to the Dublin San Ramon Services Dis-
14 trict, California (hereinafter the “District”), all right,
15 title, and interest of the United States in and to a parcel
16 of real property located at Camp Parks, California consist-
17 ing of approximately _____ acres, and all improvements
18 located thereon. The parcel is improved with a water treat-
19 ment plant and a water distribution system with storage
20 tanks.

21 (b) **RELATED EASEMENTS.**—The Secretary may also
22 grant to the District any easement that is necessary for
23 access to the real property conveyed under subsection (a)
24 for operation and maintenance of the facilities located
25 thereon.

1 (c) REQUIREMENT RELATING TO CONVEYANCE.—

2 The Secretary may not exercise the authority granted by
3 subsection (a) unless and until the District agrees to ac-
4 cept all improvements in their existing conditions at the
5 time of conveyance.

6 (d) CONDITION OF CONVEYANCE.—The conveyance
7 authorized by subsection (a) is subject to the following
8 conditions:

9 (1) That the District provide water service to
10 Camp Parks, California at a rate mutually agreed
11 upon by the Secretary and the District and approved
12 by the appropriate Federal or State regulatory au-
13 thority.

14 (2) That the District comply with all applicable
15 environmental laws and regulations (including any
16 permit or license requirements) in the operation and
17 maintenance of the improvements.

18 (3) That the District assume full responsibility
19 for operation, maintenance, and repair of the im-
20 provements and for compliance with all applicable
21 regulatory requirements.

22 (4) That the District not commence any expan-
23 sion of the improvements without the prior approval
24 of the Secretary.

1 (e) DESCRIPTION OF PROPERTY.—The exact legal
2 description of the real property to be conveyed under sub-
3 section (a), including the improvements located thereon,
4 and of any easements granted under subsection b., shall
5 be determined by a survey and other means satisfactory
6 to the Secretary. The cost of such survey and other serv-
7 ices performed at the direction of the Secretary under the
8 authority of this subsection, shall be borne by the District.

9 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
10 retary may require such additional terms and conditions
11 in connection with the conveyance under subsection (a)
12 and the grant of any easement under subsection b. as the
13 Secretary considers appropriate to protect the interests of
14 the United States.

15 **SEC. 2809. TRANSFER OF UTILITY SYSTEMS AT FORT LEAV-**
16 **ENWORTH, KANSAS.**

17 (a) AUTHORITY TO CONVEY.—The Secretary of the
18 Army may convey to the City of Leavenworth, Kansas
19 (hereinafter the “City”), all right, title, and interest of the
20 United States in and to a parcel of real property located
21 at Fort Leavenworth, Kansas, consisting of approximately
22 _____ acres, and all improvements located thereon. The
23 parcel is improved with a water treatment plant and a
24 water distribution system with storage tanks.

1 (b) RELATED EASEMENTS.—The Secretary may also
2 grant to the City any easement that is necessary for access
3 to the real property conveyed under subsection (a) for op-
4 eration and maintenance of the facilities located thereon.

5 (c) REQUIREMENT RELATING TO CONVEYANCE.—
6 The Secretary may not exercise the authority granted by
7 subsection (a) unless and until the City agrees to accept
8 all improvements in their existing conditions at the time
9 of conveyance.

10 (d) CONDITION OF CONVEYANCE.—The conveyance
11 authorized by subsection (a) is subject to the following
12 conditions:

13 (1) That the City provide water service to Fort
14 Leavenworth, Kansas at a rate mutually agreed
15 upon by the Secretary and the City and approved by
16 the appropriate Federal or State regulatory author-
17 ity.

18 (2) That the City comply with all applicable en-
19 vironmental laws and regulations (including any per-
20 mit or license requirements) in the operation and
21 maintenance of the improvements.

22 (3) That the City assume full responsibility for
23 operation, maintenance, and repair of the improve-
24 ments and for compliance with all applicable regu-
25 latory requirements.

1 parcel is improved with a sewage treatment plant, sludge
2 disposal facilities, and a sewage collection system.

3 (b) RELATED EASEMENTS.—The Secretary may also
4 grant to the County any easement that is necessary for
5 access to the real property conveyed under subsection (a)
6 for operation and maintenance of the facilities located
7 thereon.

8 (c) REQUIREMENT RELATING TO CONVEYANCE.—
9 The Secretary may not exercise the authority granted by
10 subsection (a) unless and until the County agrees to ac-
11 cept all improvements in their existing conditions at the
12 time of conveyance.

13 (d) CONDITION OF CONVEYANCE.—The conveyance
14 authorized by subsection (a) is subject to the following
15 conditions:

16 (1) That the County provide water service to
17 Fort Lewis, Washington at a rate mutually agreed
18 upon by the Secretary and the County and approved
19 by the appropriate Federal or State regulatory au-
20 thority.

21 (2) That the County comply with all applicable
22 environmental laws and regulations (including any
23 permit or license requirements) in the operation and
24 maintenance of the improvements.

1 (3) That the County assume full responsibility
2 for operation, maintenance, and repair of the im-
3 provements and for compliance with all applicable
4 regulatory requirements.

5 (4) That the County not commence any expan-
6 sion of the improvements without the prior approval
7 of the Secretary.

8 (e) DESCRIPTION OF PROPERTY.—The exact legal
9 description of the real property to be conveyed under sub-
10 section (a), including the improvements located thereon,
11 and of any easements granted under subsection b., shall
12 be determined by a survey and other means satisfactory
13 to the Secretary. The cost of such survey and other serv-
14 ices performed at the direction of the Secretary under the
15 authority of this subsection shall be borne by the County.

16 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
17 retary may require such additional terms and conditions
18 in connection with the conveyance under subsection (a)
19 and the grant of any easement under subsection b. as the
20 Secretary considers appropriate to protect the interests of
21 the United States.

22 **SEC. 2811. TRANSFER OF UTILITY SYSTEMS AT FORT**
23 **MEADE, MARYLAND.**

24 (a) AUTHORITY TO CONVEY.—The Secretary of the
25 Army may convey to the City of Odenton, Maryland (here-

1 in after the “City”), all right, title, and interest of the
2 United States in and to a parcel of real property located
3 at Fort Meade, Maryland, consisting of approximately
4 _____ acres, and all improvements located thereon. The
5 parcel is improved with a water treatment plant, a water
6 distribution system with storage tanks, a wastewater
7 treatment plant, and a wastewater collection system.

8 (b) RELATED EASEMENTS.—The Secretary may also
9 grant to the City any easement that is necessary for access
10 to the real property conveyed under subsection (a) for op-
11 eration and maintenance of the facilities located thereon.

12 (c) REQUIREMENT RELATING TO CONVEYANCE.—
13 The Secretary may not exercise the authority granted by
14 subsection (a) unless and until the City agrees to accept
15 all improvements in their existing conditions at the time
16 of conveyance.

17 (d) CONDITION OF CONVEYANCE.—The conveyance
18 authorized by subsection (a) is subject to the following
19 conditions:

20 (1) That the City provide water service to Fort
21 Meade, Maryland at a rate mutually agreed upon by
22 the Secretary and the City and approved by the ap-
23 propriate Federal or State regulatory authority.

24 (2) That the City comply with all applicable en-
25 vironmental laws and regulations (including any per-

1 mit or license requirements) in the operation and
2 maintenance of the improvements.

3 (3) That the City assume full responsibility for
4 operation, maintenance, and repair of the improve-
5 ments and for compliance with all applicable regu-
6 latory requirements.

7 (4) That the City not commence any expansion
8 of the improvements without the prior approval of
9 the Secretary.

10 (e) DESCRIPTION OF PROPERTY.—The exact legal
11 description of the real property to be conveyed under sub-
12 section (a), including the improvements located thereon,
13 and of any easements granted under subsection b., shall
14 be determined by a survey and other means satisfactory
15 to the Secretary. The cost of such survey and other serv-
16 ices performed at the direction of the Secretary under the
17 authority of this subsection shall be borne by the City.

18 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
19 retary may require such additional terms and conditions
20 in connection with the conveyance under subsection (a)
21 and the grant of any easement under subsection b. as the
22 Secretary considers appropriate to protect the interests of
23 the United States.

1 **SEC. 2812. TRANSFER OF UTILITY SYSTEMS AT FORT MON-**
2 **MOUTH, NEW JERSEY.**

3 (a) **AUTHORITY TO CONVEY.**—The Secretary of the
4 Army may convey to Monmouth County, New Jersey
5 (hereinafter the “County”), all right, title, and interest of
6 the United States in and to a parcel of real property lo-
7 cated at Fort Monmouth, New Jersey, consisting of ap-
8 proximately _____ acres, and all improvements located
9 thereon. The parcel is improved with a water treatment
10 plant, a water distribution system with storage tanks, a
11 sewage treatment plant, and a sewage collection system.

12 (b) **RELATED EASEMENTS.**—The Secretary may also
13 grant to the County any easement that is necessary for
14 access to the real property conveyed under subsection (a)
15 for operation and maintenance of the facilities located
16 thereon.

17 (c) **REQUIREMENT RELATING TO CONVEYANCE.**—
18 The Secretary may not exercise the authority granted by
19 subsection (a) unless and until the County agrees to ac-
20 cept all improvements in their existing conditions at the
21 time of conveyance.

22 (d) **CONDITION OF CONVEYANCE.**—The conveyance
23 authorized by subsection (a) is subject to the following
24 conditions:

25 (1) That the County provide water service to
26 Fort Monmouth, New Jersey at a rate mutually

1 agreed upon by the Secretary and the County and
2 approved by the appropriate Federal or State regu-
3 latory authority.

4 (2) That the County comply with all applicable
5 environmental laws and regulations (including any
6 permit or license requirements) in the operation and
7 maintenance of the improvements.

8 (3) That the County assume full responsibility
9 for operation, maintenance, and repair of the im-
10 provements and for compliance with all applicable
11 regulatory requirements.

12 (4) That the County not commence any expan-
13 sion of the improvements without the prior approval
14 of the Secretary.

15 (e) DESCRIPTION OF PROPERTY.—The exact legal
16 description of the real property to be conveyed under sub-
17 section (a), including the improvements located thereon,
18 and of any easements granted under subsection (b), shall
19 be determined by a survey and other means satisfactory
20 to the Secretary. The cost of such survey and other serv-
21 ices performed at the direction of the Secretary under the
22 authority of this subsection, shall be borne by the County.

23 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
24 retary may require such additional terms and conditions
25 in connection with the conveyance under subsection (a)

1 and the grant of any easement under subsection (b) as
2 the Secretary considers appropriate to protect the inter-
3 ests of the United States.

4 **SEC. 2813. TRANSFER OF UTILITY SYSTEMS AT HUNTER**
5 **ARMY AIR FIELD, FORT STEWART, GEORGIA.**

6 (a) **AUTHORITY TO CONVEY.**—The Secretary of the
7 Army may convey to the City of Hinesville, Georgia (here-
8 inafter the “City”), all right, title, and interest of the
9 United States in and to a parcel of real property located
10 at Hunter Army Air Field, Fort Stewart, Georgia, consist-
11 ing of approximately _____ acres, and all improvements
12 located thereon. The parcel is improved with a sewage
13 treatment plant, sludge disposal facilities, and a sewage
14 collection system.

15 (b) **RELATED EASEMENTS.**—The Secretary may also
16 grant to the City any easement that is necessary for access
17 to the real property conveyed under subsection (a) for op-
18 eration and maintenance of the facilities located thereon.

19 (c) **REQUIREMENT RELATING TO CONVEYANCE.**—
20 The Secretary may not exercise the authority granted by
21 subsection (a) unless and until the City agrees to accept
22 all improvements in their existing conditions at the time
23 of conveyance.

1 (d) CONDITION OF CONVEYANCE.—The conveyance
2 authorized by subsection (a) is subject to the following
3 conditions:

4 (1) That the City provide water service to Hun-
5 ter Army Air Field, Fort Stewart, Georgia at a rate
6 mutually agreed upon by the Secretary and the City
7 and approved by the appropriate Federal or State
8 regulatory authority.

9 (2) That the City comply with all applicable en-
10 vironmental laws and regulations (including any per-
11 mit or license requirements) in the operation and
12 maintenance of the improvements.

13 (3) That the City assume full responsibility for
14 operation, maintenance, and repair of the improve-
15 ments and for compliance with all applicable regu-
16 latory requirements.

17 (4) That the City not commence any expansion
18 of the improvements without the prior approval of
19 the Secretary.

20 (e) DESCRIPTION OF PROPERTY.—The exact legal
21 description of the real property to be conveyed under sub-
22 section (a), including the improvements located thereon,
23 and of any easements granted under subsection b., shall
24 be determined by a survey and other means satisfactory
25 to the Secretary. The cost of such survey and other serv-

1 ices performed at the direction of the Secretary under the
2 authority of this subsection, shall be borne by the City.

3 (f) **ADDITIONAL TERMS AND CONDITIONS.**—The Sec-
4 retary may require such additional terms and conditions
5 in connection with the conveyance under subsection (a)
6 and the grant of any easement under subsection b. as the
7 Secretary considers appropriate to protect the interests of
8 the United States.

9 **SEC. 2814. EASEMENTS FOR RIGHTS-OF-WAY.**

10 Section 2668(a) of title 10, United States Code is
11 amended—

12 (1) by striking out “and” at the end of para-
13 graph (9);

14 (2) by redesignating paragraph (10) as para-
15 graph (12);

16 (3) by inserting the following two new para-
17 graphs after paragraph (9):

18 “(10) poles and lines for the transmission and
19 distribution of electrical power;

20 “(11) poles and lines for communication pur-
21 poses, and for radio, television, and other forms of
22 communication transmitting, relay, and receiving
23 structures and facilities; and”;

1 (4) at the end of paragraph (12), as redesignig-
2 nated by this section, by striking out “or by the Act
3 of March 4, 1911 (43 U.S.C. 961)”.

4 **Subtitle D—Other Matters**

5 **SEC. 2815. INSTALLATION AND OWNERSHIP OF ELEC-**
6 **TRICAL DISTRIBUTION SYSTEM AT YOUNGS-**
7 **TOWN AIR RESERVE STATION, OHIO.**

8 (a) FINDING.—The Congress finds that it would be
9 advantageous to the United States to consider, as a test
10 program, utilizing non-governmental entities to provide
11 certain utility services at Youngstown Air Reserve Station,
12 Ohio.

13 (b) AUTHORIZATION.—The Secretary of the Air
14 Force is authorized to enter into an agreement with a local
15 electric utility or private company to have the utility or
16 company install, operate, and maintain a new electrical
17 distribution system, satisfactory to both the Secretary and
18 the utility or company, at Youngstown Air Reserve Sta-
19 tion.

20 (c) AGREEMENT.—The agreement between the Air
21 Force and the utility or company may contain the follow-
22 ing terms and conditions:

23 (1) The Air Force may provide the company
24 with such licenses or easements as the Air Force de-

1 termines necessary for the installation, operation,
2 and maintenance of the new distribution system.

3 (2) The resulting electrical distribution system
4 may be the property of the company but any rates
5 for utilities or other services provided by the com-
6 pany to the Government shall not include the cost of
7 installing the new distribution system as authorized
8 by this Act.

9 (3) Such other terms and conditions as the Sec-
10 retary considers appropriate to protect the interests
11 of the United States.

12 (d) SOURCE OF FUNDS.—The Secretary may use
13 funds authorized in Title XXIII, Division B, of the Na-
14 tional Defense Authorization Act for Fiscal Year 1996
15 (Public Law 104–106) and appropriated in the Military
16 Construction Appropriations Act, 1996 (Public Law 104–
17 32) for the purpose of rebuilding the electrical distribution
18 system at Youngstown Air Reserve Station, to pay the cost
19 of acquiring the services of the company in accordance
20 with this Act.

○