

Calendar No. 522

93<sup>D</sup> CONGRESS  
1ST SESSION

# H. R. 11459

[Report No. 93-548]

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 1973

Read twice and referred to the Committee on Appropriations

NOVEMBER 19, 1973

Reported by Mr. MANSEFIELD, with amendments

[Omit the part struck through and insert the part printed in italic]

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## AN ACT

Making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1974, 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       That the following sums are appropriated, out of any money  
4       in the Treasury not otherwise appropriated, for the fiscal  
5       year ending June 30, 1974, for military construction func-  
6       tions administered by the Department of Defense, and for  
7       other purposes, namely:

8                   MILITARY CONSTRUCTION, ARMY

9       For acquisition, construction, installation, and equipment  
10      of temporary or permanent public works, military installa-

1 tions, and facilities for the Army as currently authorized in  
2 military public works or military construction Acts, and  
3 in sections 2673 and 2675 of title 10, United States Code,  
4 ~~\$551,575,000~~, ~~\$567,735,000~~, to remain available until  
5 expended.

#### 6 MILITARY CONSTRUCTION, NAVY

7 For acquisition, construction, installation, and equip-  
8 ment of temporary or permanent public works, naval instal-  
9 lations, and facilities for the Navy as currently authorized in  
10 military public works or military construction Acts, and in  
11 sections 2673 and 2675 of title 10, United States Code, in-  
12 cluding personnel in the Naval Facilities Engineering Com-  
13 mand and other personal services necessary for the purposes  
14 of this appropriation, ~~\$587,641,000~~, ~~\$608,467,000~~, to re-  
15 main available until expended.

#### 16 MILITARY CONSTRUCTION, AIR FORCE

17 For acquisition, construction, installation, and equipment  
18 of temporary or permanent public works, military installa-  
19 tions, and facilities for the Air Force as currently authorized  
20 in military public works or military construction Acts, and  
21 in sections 2673 and 2675 of title 10, United States Code,  
22 ~~\$239,702,000~~, ~~\$261,198,000~~, to remain available until  
23 expended.

#### 24 MILITARY CONSTRUCTION, DEFENSE AGENCIES

25 For acquisition, construction, installation, and equipment  
26 of temporary or permanent public works, installations, and

1 facilities for activities and agencies of the Department of  
2 Defense (other than the military departments and the De-  
3 fense Civil Preparedness Agency), as currently authorized  
4 in military public works or military construction Acts, and  
5 in sections 2673 and 2675 of title 10, United States Code,  
6 \$12,000,000 to remain available until expended, *and in addi-*  
7 *tion* not to exceed \$20,000,000 to be derived by transfer  
8 from the appropriation "Research, development, test, and  
9 evaluation, Defense Agencies" as determined by the Secre-  
10 tary of Defense: *Provided*, That such amounts of this appro-  
11 priation as may be determined by the Secretary of Defense  
12 may be transferred to such appropriations of the Department  
13 of Defense available for military construction as he may  
14 designate.

15 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

16 For construction, acquisition, expansion, rehabilitation,  
17 and conversion of facilities for the training and administra-  
18 tion of the Army National Guard as authorized by chapter  
19 133 of title 10, United States Code, as amended, and the  
20 Reserve Forces Facilities Acts, \$35,200,000, to remain  
21 available until expended.

22 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

23 For construction, acquisition, expansion, rehabilitation,  
24 and conversion of facilities for the training and administration  
25 of the Air National Guard, and contributions therefor, as

1 authorized by chapter 133 of title 10, United States Code, as  
 2 amended, and the Reserve Forces Facilities Acts, \$20,000,-  
 3 000, to remain available until expended.

4 **MILITARY CONSTRUCTION, ARMY RESERVE**

5 For construction, acquisition, expansion, rehabilitation,  
 6 and conversion of facilities for the training and administra-  
 7 tion of the Army Reserve as authorized by chapter 133 of  
 8 title 10, United States Code, as amended, and the Reserve  
 9 Forces Facilities Acts, \$40,700,000, to remain available  
 10 until expended.

11 **MILITARY CONSTRUCTION, NAVAL RESERVE**

12 For construction, acquisition, expansion, rehabilitation,  
 13 and conversion of facilities for the training and administra-  
 14 tion of the reserve components of the Navy and Marine  
 15 Corps as authorized by chapter 133 of title 10, United States  
 16 Code, as amended, and the Reserve Forces Facilities Acts,  
 17 ~~\$22,900,000~~ \$20,300,000, to remain available until ex-  
 18 pended.

19 **MILITARY CONSTRUCTION, AIR FORCE RESERVE**

20 For construction, acquisition, expansion, rehabilitation,  
 21 and conversion of facilities for the training and administra-  
 22 tion of the Air Force Reserve as authorized by chapter 133  
 23 of title 10, United States Code, as amended, and the Reserve  
 24 Forces Facilities Acts, \$10,000,000, to remain available  
 25 until expended.

## FAMILY HOUSING, DEFENSE

1 For expenses of family housing for the Army, Navy,  
 2 Marine Corps, Air Force, and Defense agencies, for con-  
 3 struction, including acquisition, replacement, addition, ex-  
 4 pansion, extension an alteration and for operation, mainte-  
 5 nance, and debt payment, including leasing, minor construc-  
 6 tion, principal and interest charges, and insurance premiums,  
 7 as authorized by law, ~~\$1,191,539,000~~ \$1,188,539,000, to be  
 8 obligated and expended in the Family Housing Management  
 9 Account established pursuant to section 501 (a) of Public  
 10 Law 87-554, in not to exceed the following amounts:

## For the Army:

12 Construction, \$179,320,000;

## For the Navy and Marine Corps:

14 Construction, ~~\$103,947,000~~ \$97,947,000;

## For the Air Force:

16 Construction, \$83,939,000;

## For Defense agencies:

18 Construction, \$540,000;

## For Department of Defense:

20 Debt payment, \$159,177,000;

22 Operation, maintenance, \$667,616,000.

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

## HOMEOWNERS ASSISTANCE FUND, DEFENSE

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For use in the Homeowners Assistance Fund established pursuant to section 1013 (d) of the Demonstration Cities and Metropolitan Development Act of 1966 (Public Law 89-754, as amended), \$7,000,000.

## GENERAL PROVISIONS

SEC. 101. Funds appropriated to the Department of Defense for construction in prior years are hereby made available for construction authorized for each such department by the authorizations enacted into law during the first session of the Ninety-third Congress.

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

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

1       SEC. 104. None of the funds appropriated in this Act  
2 shall be used for the construction, replacement, or reactiva-  
3 tion of any bakery, laundry, or drycleaning facility in the  
4 United States, its territories, or possessions, as to which the  
5 Secretary of Defense does not certify, in writing, giving his  
6 reasons therefor, that the services to be furnished by such  
7 facilities are not obtainable from commercial sources at  
8 reasonable rates.

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

12       SEC. 106. Funds appropriated to the Department of  
13 Defense for construction may be used for advances to the  
14 Federal Highway Administration, Department of Transpor-  
15 tation, for the construction of access roads as authorized by  
16 section 210 of title 23, United States Code, when projects  
17 authorized therein are certified as important to the national  
18 defense by the Secretary of Defense.

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

23       SEC. 108. No part of the funds provided in this Act  
24 shall be used for purchase of land or land easements in excess  
25 of 100 per centum of the value as determined by the Corps

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

7 SEC. 109. None of the funds appropriated in this Act  
8 may be used to make payments under contracts for any  
9 project in a foreign country unless the Secretary of Defense  
10 or his designee, after consultation with the Secretary of the  
11 Treasury or his designee, certifies to the Congress that the  
12 use, by purchase from the Treasury, of currencies of such  
13 country acquired pursuant to law is not feasible for the pur-  
14 pose, stating the reason therefor.

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

20 This Act may be cited as the "Military Construction  
21 Appropriation Act, 1974".

Passed the House of Representatives November 14, 1973.

Attest:

W. PAT JENNINGS,

*Clerk.*