Public Law 95-82
95th Congress

An Act

Aug. 1, 1977
[S. 1474]

To authorize certain construction at military installations, and for other purposes.

Military Construction Authorization Act, 1978.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Military Construction Authorization Act, 1978".

TITLE I—ARMY

SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, for the following acquisition and construction:

INSIDE THE UNITED STATES

UNITED STATES ARMY FORCES COMMAND

Fort Bragg, North Carolina, $15,976,000.
Fort Campbell, Kentucky, $553,000.
Fort Carson, Colorado, $1,924,000.
Fort Hood, Texas, $13,142,000.
Fort Lewis, Washington, $985,000.
Fort Meade, Maryland, $3,168,000.
Fort Ord, California, $4,149,000.
Presidio of San Francisco, California, $500,000.
Fort Polk, Louisiana, $48,720,000.
Fort Richardson, Alaska, $1,990,000.
Fort Riley, Kansas, $531,000.
Fort Sam Houston, Texas, $10,000,000.
Schofield Barracks, Hawaii, $10,189,000.
Fort Stewart/Hunter Army Air Field, Georgia, $10,991,000.
Fort Wainwright, Alaska, $6,985,000.

UNITED STATES ARMY TRAINING AND DOCTRINE COMMAND

Fort Belvoir, Virginia, $5,503,000.
Fort Benjamin Harrison, Indiana, $1,796,000.
Fort Benning, Georgia, $24,132,000.
Fort Bliss, Texas, $1,881,000.
Fort A. P. Hill, Virginia, $423,000.
Fort Jackson, South Carolina, $366,000.
Fort Knox, Kentucky, $15,541,000.
Fort Lee, Virginia, $313,000.
Fort McClellan, Alabama, $1,805,000.
Fort Rucker, Alabama, $1,250,000.
Fort Sill, Oklahoma, $1,100,000.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

UNITED STATES ARMY MATERIEL DEVELOPMENT AND READINESS COMMAND

Aberdeen Proving Ground, Maryland, $8,458,000.
Anniston Army Depot, Alabama, $6,484,000.
Badger Army Ammunition Plant, Wisconsin, $688,000.
Corpus Christi Army Depot, Texas, $7,583,000.
Detroit Arsenal, Michigan, $228,000.
Harry Diamond Laboratory, Maryland, $1,305,000.
Indiana Army Ammunition Plant, Indiana, $1,004,000.
Iowa Army Ammunition Plant, Iowa, $708,000.
Letterkenny Army Depot, Pennsylvania, $310,000.
Lexington Blue-Grass Army Depot, Kentucky, $1,827,000.
Lone Star Army Ammunition Plant, Texas, $816,000.
Picatinny Arsenal, New Jersey, $9,593,000.
Pine Bluff Arsenal, Arkansas, $4,439,000.
Pueblo Army Depot, Colorado, $3,011,000.
Red River Army Depot, Texas, $1,193,000.
Redstone Arsenal, Alabama, $962,000.
Rock Island Arsenal, Illinois, $6,384,000.
Tooele Army Depot, Utah, $17,415,000.
Umatilla Army Depot, Oregon, $2,921,000.
White Sands Missile Range, New Mexico, $866,000.

AMMUNITION FACILITIES

Holston Army Ammunition Plant, Tennessee, $4,616,000.
Indiana Army Ammunition Plant, Indiana, $1,009,000.
Iowa Army Ammunition Plant, Iowa, $11,192,000.
Longhorn Army Ammunition Plant, Texas, $555,000.
Louisiana Army Ammunition Plant, Louisiana, $4,345,000.
Milan Army Ammunition Plant, Tennessee, $10,467,000.
Mississippi Army Ammunition Plant, Mississippi, $136,000,000.
Radford Army Ammunition Plant, Virginia, $203,000.
Riverbank Army Ammunition Plant, California, $584,000.
Volunteer Army Ammunition Plant, Tennessee, $597,000.
Unspecified location, $334,710,000.

UNITED STATES ARMY COMMUNICATIONS COMMAND

Fort Huachuca, Arizona, $1,279,000.

UNITED STATES MILITARY ACADEMY

United States Military Academy, West Point, New York, $3,047,000.

UNITED STATES ARMY HEALTH SERVICES COMMAND

Walter Reed Army Medical Center, District of Columbia, $2,089,000.

MILITARY TRAFFIC MANAGEMENT COMMAND

Bayonne Military Ocean Terminal, New Jersey, $442,000.
Sunny Point Military Ocean Terminal, North Carolina, $631,000.

UNITED STATES ARMY INTELLIGENCE AND SECURITY COMMAND

Vint Hill Farms, Virginia, $960,000.

NUCLEAR WEAPONS SECURITY

Various locations, $7,764,000.

OUTSIDE THE UNITED STATES

UNITED STATES ARMY FORCES COMMAND

Panama Area, Canal Zone, $2,384,000.

UNITED STATES ARMY, JAPAN

Various locations, $3,698,000.

KWAJALEIN MISSILE RANGE

National Missile Range, $2,603,000.

UNITED STATES ARMY INTELLIGENCE AND SECURITY COMMAND

Various locations, $1,331,000.

UNITED STATES ARMY, EUROPE

Germany, Various locations, $175,115,000, including funds for the completion of the medical/dental clinic, Building 504, Pendleton Barracks, Giessen.

Italy, Various locations, $3,770,000.

Various locations: For the United States share of the cost of multilateral programs for the acquisition or construction of military facilities and installations, including international military headquarters, for the collective defense of the North Atlantic Treaty Area, $85,000,000. Within thirty days after the end of each quarter, the Secretary of the Army shall furnish to the Committees on Armed Services and on Appropriations of the Senate and House of Representatives a description of obligations incurred as the United States share of such multilateral programs.

Obligations, description furnished to congressional committees.

NUCLEAR WEAPONS SECURITY

Various locations, $6,800,000.

EMERGENCY CONSTRUCTION

SEC. 102. The Secretary of the Army may establish or develop Army installations and facilities by proceeding with construction made necessary by changes in Army missions and responsibilities which have been occasioned by (1) unforeseen security considerations, (2) new weapons developments, (3) new and unforeseen research and development requirements, or (4) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security and, in connection therewith, may acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $20,000,000. The Secretary of the Army, or his designee, shall notify the Committees on Armed Services of the Senate and

Congressional committees, notification.

House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire upon the date of enactment of the Military Construction Authorization Act for fiscal year 1979 except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to such date.

Authorization expiration.

TITLE II—NAVY

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, for the following acquisition and construction:

INSIDE THE UNITED STATES

TRIDENT FACILITIES

Various locations, $106,910,000.

MARINE CORPS

Marine Corps Supply Center, Albany, Georgia, $650,000.
Marine Corps Air Station, Beaufort, South Carolina, $1,100,000.
Marine Corps Base, Camp Lejeune, North Carolina, $13,400,000.
Marine Corps Base, Camp Pendleton, California, $6,530,000.
Marine Corps Air Station, Cherry Point, North Carolina, $4,500,000.
Marine Corps Air Station, El Toro, California, $600,000.
Marine Corps Air Station, Kaneohe Bay, Hawaii, $160,000.
Marine Corps Recruit Depot, Parris Island, South Carolina, $4,250,000.
Marine Corps Recruit Depot, San Diego, California, $1,200,000.
Marine Corps Base, Twentynine Palms, California, $11,965,000.

CHIEF OF NAVAL OPERATIONS

Naval Academy, Annapolis, Maryland, $365,000.
Naval Observatory, Flagstaff, Arizona, $80,000.
Commander in Chief, Pacific, Headquarters, Pearl Harbor, Hawaii, $4,200,000.
Naval Support Activity, Mare Island, Vallejo, California, $2,900,000.
Naval District Headquarters, Washington, District of Columbia, $850,000.

COMMANDER IN CHIEF, ATLANTIC FLEET

Naval Air Station, Brunswick, Maine, $1,400,000.
Naval Air Station, Cecil Field, Florida, $90,000.
Naval Station, Charleston, South Carolina, $180,000.
Fleet Combat Direction Systems Training Center, Dam Neck, Virginia, $400,000.
Naval Amphibious Base, Little Creek, Virginia, $1,850,000.
Naval Station, Mayport, Florida, $90,000.
Naval Submarine Base, New London, Connecticut, $3,570,000.
Flag Administrative Unit Atlantic, Norfolk, Virginia, $90,000.

Fleet Intelligence Center Europe and Atlantic, Norfolk, Virginia, $1,137,000.

Naval Air Station, Norfolk, Virginia, $14,350,000.

Naval Station, Norfolk, Virginia, $4,340,000.

Naval Air Station, Oceana, Virginia, $640,000.

COMMANDER IN CHIEF, PACIFIC FLEET

Naval Station, Adak, Alaska, $11,000,000.

Naval Air Station, Barbers Point, Hawaii, $7,197,000.

Naval Amphibious Base, Coronado, California, $130,000.

Naval Air Station, Miramar, California, $1,330,000.

Naval Air Station, Moffett Field, California, $810,000.

Naval Air Station, North Island, California, $6,000,000.

Commander Oceanographic System, Pacific, Pearl Harbor, Hawaii, $7,400,000.

Naval Station, Pearl Harbor, Hawaii, $4,050,000.

Naval Submarine Base, Pearl Harbor, Hawaii, $2,090,000.

Naval Station, San Diego, California, $8,566,000.

Naval Submarine Support Facility, San Diego, California, $1,670,000.

Naval Air Station, Whidbey Island, Washington, $900,000.

CHIEF OF NAVAL EDUCATION AND TRAINING

Naval Air Station, Kingsville, Texas, $550,000.

Naval Education and Training Center, Newport, Rhode Island, $270,000.

Armed Forces Staff College, Norfolk, Virginia, $160,000.

Naval Training Center, Orlando, Florida, $200,000.

Naval Amphibious School, Coronado, San Diego, California, $3,450,000.

Naval Submarine Training Center, Pearl Harbor, Hawaii, $410,000.

Naval Technical Training Center, Pensacola, Florida, $2,400,000.

BUREAU OF MEDICINE AND SURGERY

Naval Regional Medical Center, Bremerton, Washington, $1,450,000.

Naval Regional Medical Center, Norfolk, Virginia, $600,000.

CHIEF OF NAVAL MATERIAL

Naval Ship Research and Development Center, Annapolis, Maryland, $280,000.

Naval Ship Research and Development Center, Bethesda, Maryland, $200,000.

Puget Sound Naval Shipyard, Bremerton, Washington, $11,600,000.

Polaris Missile Facility Atlantic, Charleston, South Carolina, $18,150,000.

Charleston Naval Shipyard, Charleston, South Carolina, $14,376,000.

Naval Weapons Station, Charleston, South Carolina, $850,000.

Naval Air Rework Facility, Cherry Point, North Carolina, $360,000.

Naval Weapons Center, China Lake, California, $900,000.

Naval Weapons Station, Concord, California, $1,350,000.

Navy Public Works Center, Great Lakes, Illinois, $850,000.

Naval Avionics Facility, Indianapolis, Indiana, $90,000.

Naval Ordnance Station, Indian Head, Maryland, $180,000.

Naval Air Rework Facility, Jacksonville, Florida, $1,200,000.
Naval Torpedo Station, Keyport, Washington, $3,540,000.
Portsmouth Naval Shipyard, Kittery, Maine, $10,030,000.
Naval Air Station, Lakehurst, New Jersey, $160,000.
Long Beach Naval Shipyard, Long Beach, California, $9,020,000.
Naval Underwater Systems Center, New London, Connecticut, $950,000.
Naval Air Rework Facility, Norfolk, Virginia, $390,000.
Naval Supply Center, Norfolk, Virginia, $1,200,000.
Navy Public Works Center, Norfolk, Virginia, $4,150,000.
Naval Air Test Center, Patuxent River, Maryland, $5,289,000.
Naval Supply Center, Pearl, Harbor, Hawaii, $13,400,000.
Pearl Harbor Naval Shipyard, Pearl Harbor, Hawaii, $1,080,000.
Navy Public Works Center, Pearl Harbor, Hawaii, $3,000,000.
Navy Public Works Center, Pensacola, Florida, $1,250,000.
Philadelphia Naval Shipyard, Philadelphia, Pennsylvania, $17,500,000.
Pacific Missile Test Center, Point Mugu, California, $80,000.
Naval Construction Battalion Center, Port Hueneme, California, $2,510,000.
Norfolk Naval Shipyard, Portsmouth, Virginia, $100,000.
Naval Undersea Center, San Diego, California, $250,000.
Navy Public Works Center, San Francisco, California, $480,000.
Naval Air Propulsion Test Center, Trenton, New Jersey, $240,000.
Mare Island Naval Shipyard, Vallejo, California, $24,100,000.
Naval Research Laboratory, Washington, District of Columbia, $330,000.
Naval Surface Weapons Center, White Oak, Maryland, $280,000.
Naval Weapons Station, Yorktown, Virginia, $5,800,000.

NAVAL SECURITY GROUP COMMAND

Naval Security Group Department, Adak, Alaska, $2,350,000.
Naval Security Group Detachment, Sugar Grove, West Virginia, $900,000.
Naval Security Station, Washington, District of Columbia, $90,000.

NUCLEAR WEAPONS SECURITY

Various locations, $20,658,000.

OUTSIDE THE UNITED STATES

CHIEF OF NAVAL OPERATIONS

Naval Support Facility, Diego Garcia, Indian Ocean, $7,300,000.

COMMANDER IN CHIEF, ATLANTIC FLEET

Naval Facility, Antigua, British West Indies, $180,000.
Naval Station, Keflavik, Iceland, $161,000.
Naval Station, Roosevelt Roads, Puerto Rico, $320,000.

COMMANDER IN CHIEF, PACIFIC FLEET

Navy Public Works Center, Guam, $2,800,000.
Navy Fleet Activities, Yokosuka, Japan, $1,850,000.

NAVAL FORCES EUROPE

Naval Air Facility, Sigonella, Italy, $4,300,000.

BUREAU OF MEDICINE AND SURGERY

Naval Regional Medical Clinic, Pearl Harbor, Midway Island Detachment, $4,350,000.

NAVAL TELECOMMUNICATIONS COMMAND

Naval Communication Area Master Station, Naples, Italy, $1,700,000.

Naval Communications Unit, Thurso, Scotland, $350,000.

NAVAL SECURITY GROUP COMMAND

Naval Security Group Department, Rota, Spain, $2,400,000.

EMERGENCY CONSTRUCTION

SEC. 202. (a) The Secretary of the Navy may establish or develop Navy installations and facilities by proceeding with construction made necessary by changes in Navy missions and responsibilities which have been occasioned by (1) unforeseen security considerations, (2) new weapons developments, (3) new and unforeseen research and development requirements, or (4) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security and, in connection therewith, may acquire, construct, convert, rehabilitate, or install permanent or temporary public works including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $20,000,000. The Secretary of the Navy, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire upon the date of enactment of the Military Construction Authorization Act for fiscal year 1979 except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to such date.

Congressional committees, notification.

Authorization expiration.

(b) The Secretary of the Navy may use the authority contained in subsection (a) to provide the necessary facilities at King's Bay, Georgia, or at such other site as he may determine, to accommodate the submarine squadron currently stationed in Rota, Spain. Funds may not be expended for such purpose until the Secretary of the Navy has completed a site selection study and has publicly announced his final site decision.

Submarine squadron, accommodation.

Study and public notice.

(c) The third sentence of section 202 of the Military Construction Authorization Act, 1977 (Public Law 94-431; 90 Stat. 1355), is amended by striking out "fiscal year 1978" and inserting in lieu thereof "fiscal year 1979".

REPLACEMENT OF LEASED FACILITIES, SAN DIEGO, CALIFORNIA

Agreement.

SEC. 203. (a) The Secretary of the Navy is authorized to construct recreational facilities at the Naval Station, San Diego, California, to

replace existing recreational facilities at the present Navy Athletic Field at such naval station, but such construction may not be carried out until the Secretary enters into an agreement with the San Diego Unified Port District, the current holder of the lessor interest of the City of San Diego in such Navy Athletic Field (held by the Secretary of the Navy under a lease from the City of San Diego dated August 9, 1949), which provides (1) that the San Diego Unified Port District shall pay, at such time or times and in such manner as may be prescribed in such agreement, the total cost of such construction, and (2) that the Secretary of the Navy agrees to termination of the interest of the United States in the lease and abandonment of the existing facilities of the United States on the leasehold.

(b) Any agreement under subsection (a) shall specify that such lease shall not be terminated, and the Secretary of the Navy shall not be required to relinquish use of any part of the leasehold, until—

(1) the Secretary determines that the recreational facilities constructed under such subsection are satisfactory replacements for the facilities on the existing Navy Athletic Field and that such facilities are available for use; and

(2) the amount required under such agreement to be paid by the San Diego Unified Port District has been paid in full.

TRANSFER OF AUTHORIZATION—JACKSONVILLE, FLORIDA

SEC. 204. The Secretary of the Navy may utilize $2,950,000 of the authorization for the Naval Air Station, Jacksonville, Florida, in section 201 of the Military Construction Authorization Act, 1977 (Public Law 94-431; 90 Stat. 1352), for construction of steam and condensate systems at such naval air station.

TRANSFER OF AUTHORIZATION—BETHESDA, MARYLAND

SEC. 205. The Secretary of the Navy may utilize $8,000,000 of the authorization for the National Naval Medical Center, Bethesda, Maryland, in section 201 of the Military Construction Authorization Act, 1976 (Public Law 94-107; 89 Stat. 550), for construction of a south parking structure for the 500-bed replacement hospital at such medical center.

TITLE III—AIR FORCE

SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, for the following acquisition and construction:

INSIDE THE UNITED STATES

AEROSPACE DEFENSE COMMAND

Kingsley Field, Oregon, $115,000.
Peterson Air Force Base, Colorado, $773,000.
Tyndall Air Force Base, Florida, $4,550,000.

AIR FORCE LOGISTICS COMMAND

Hill Air Force Base, Utah, $23,020,000.
Kelly Air Force Base, Texas, $9,878,000.

McClellan Air Force Base, California, $4,086,000.
Newark Air Force Station, Ohio, $2,080,000.
Robins Air Force Base, Georgia, $11,884,000.
Tinker Air Force Base, Oklahoma, $12,894,000.
Wright Patterson Air Force Base, Ohio, $7,274,000.

AIR FORCE SYSTEMS COMMAND

Arnold Engineering Development Center, Tennessee, $1,280,000.
Brooks Air Force Base, Texas, $550,000.
Buckley Air National Guard Base, Colorado, $1,100,000.
Edwards Air Force Base, California, $13,532,000.
Eglin Air Force Base, Florida, $16,485,000.
Los Angeles Air Force Station, California, $500,000.
Patrick Air Force Base, Florida, $300,000.
Various locations, $2,826,000.

AIR TRAINING COMMAND

Chanute Air Force Base, Illinois, $8,026,000.
Columbus Air Force Base, Mississippi, $1,183,000.
Keesler Air Force Base, Mississippi, $850,000.
Lackland Air Force Base, Texas, $4,700,000.
Lowry Air Force Base, Colorado, $5,188,000.
Mather Air Force Base, California, $115,000.
Randolph Air Force Base, Texas, $425,000.
Sheppard Air Force Base, Texas, $980,000.
Williams Air Force Base, Arizona, $679,000.

AIR UNIVERSITY

Gunter Air Force Base, Alabama, $248,000.

ALASKAN AIR COMMAND

Eielson Air Force Base, Alaska, $297,000.
Elmendorf Air Force Base, Alaska, $5,042,000.
King Salmon Airport, Alaska, $631,000.
Shemya Air Force Base, Alaska, $3,947,000.

MILITARY AIRLIFT COMMAND

Altus Air Force Base, Oklahoma, $805,000.
Andrews Air Force Base, Maryland, $3,626,000.
Bolling Air Force Base, District of Columbia, $133,000.
Dover Air Force Base, Delaware, $165,000.
Little Rock Air Force Base, Arkansas, $573,000.
McChord Air Force Base, Washington, $1,141,000.
McGuire Air Force Base, New Jersey, $640,000.
Norton Air Force Base, California, $874,000.
Pope Air Force Base, North Carolina, $1,669,000.
Travis Air Force Base, California, $9,980,000.

PACIFIC AIR FORCES

Hickam Air Force Base, Hawaii, $2,140,000.

STRATEGIC AIR COMMAND

Barksdale Air Force Base, Louisiana, $2,253,000.
Beale Air Force Base, California, $409,000.
Carswell Air Force Base, Texas, $400,000.
Castle Air Force Base, California, $884,000.
Dyess Air Force Base, Texas, $672,000.
Ellsworth Air Force Base, South Dakota, $376,000.
Griffiss Air Force Base, New York, $645,000.
Grissom Air Force Base, Indiana, $6,300,000.
March Air Force Base, California, $1,387,000.
McConnell Air Force Base, Kansas, $216,000.
Offutt Air Force Base, Nebraska, $1,364,000.
Pease Air Force Base, New Hampshire, $910,000.
Plattsburgh Air Force Base, New York, $518,000.
Rickenbacker Air Force Base, Ohio, $137,000.
Vandenberg Air Force Base, California, $2,193,000.

TACTICAL AIR COMMAND

Bergstrom Air Force Base, Texas, $874,000.
Cannon Air Force Base, New Mexico, $937,000.
Davis Monthan Air Force Base, Arizona, $262,000.
England Air Force Base, Louisiana, $585,000.
George Air Force Base, California, $3,073,000.
Holloman Air Force Base, New Mexico, $2,377,000.
Homestead Air Force Base, Florida, $90,000.
Langley Air Force Base, Virginia, $5,202,000.
Luke Air Force Base, Arizona, $9,242,000.
MacDill Air Force Base, Florida, $2,420,000.
Moody Air Force Base, Georgia, $5,555,000.
Mountain Home Air Force Base, Idaho, $195,000.
Myrtle Beach Air Force Base, South Carolina, $718,000.
Nellis Air Force Base, Nevada, $5,180,000.
Seymour-Johnson Air Force Base, North Carolina, $3,816,000.
Shaw Air Force Base, South Carolina, $763,000.

UNITED STATES AIR FORCE ACADEMY

United States Air Force Academy, Colorado, $1,872,000.

NUCLEAR WEAPONS SECURITY

Various locations, $44,298,000.

OUTSIDE THE UNITED STATES

AEROSPACE DEFENSE COMMAND

Sondrestrom Air Base, Greenland, $310,000.
Thule Air Base, Greenland, $350,000.

PACIFIC AIR FORCES

Kadena Air Base, Japan, $2,372,000.
Osan Air Base, Korea, $1,255,000.
Yokota Air Base, Japan, $2,448,000.

STRATEGIC AIR COMMAND

Andersen Air Force Base, Guam, $1,905,000.

UNITED STATES AIR FORCES IN EUROPE

Germany, $16,417,000.
United Kingdom, $11,730,000.
Various locations, $97,905,000.

UNITED STATES AIR FORCE SECURITY SERVICE

Misawa Air Base, Japan, $732,000.

NUCLEAR WEAPONS SECURITY

Various locations, $10,162,000.

SPECIAL FACILITIES

Various locations, $2,356,000.

EMERGENCY CONSTRUCTION

SEC. 302. The Secretary of the Air Force may establish or develop Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions and responsibilities which have been occasioned by (1) unforeseen security considerations, (2) new weapons developments, (3) new unforeseen research and development requirements, or (4) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security and, in connection therewith, may acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $20,000,000. The Secretary of the Air Force, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire upon the date of enactment of the Military Construction Authorization Act for fiscal year 1979 except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to such date.

Congressional committees, notification.

Authorization expiration.

TITLE IV—DEFENSE AGENCIES

SEC. 401. The Secretary of Defense may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, for defense agencies for the following acquisition or construction:

INSIDE THE UNITED STATES

NATIONAL SECURITY AGENCY

Fort George G. Meade, Maryland, $650,000.

DEFENSE SYSTEMS MANAGEMENT COLLEGE

Fort Belvoir, Virginia, $1,810,000.

HIGH ENERGY LASER FACILITY

White Sands, New Mexico, $33,449,000.

EMERGENCY CONSTRUCTION

SEC. 402. (a) The Secretary of Defense may establish or develop installations and facilities which he determines to be vital to the security of the United States and, in connection therewith, may acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $20,000,000. The Secretary of Defense, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public works undertaken under this section, including real estate actions pertaining thereto.

Congressional committees, notification.

(b) Any authorization, or any part of any authorization, for emergency construction in any prior Military Construction Authorization Act which permits the Secretary of Defense to establish or develop military installations and facilities which he determines to be vital to the security of the United States for which funds have not been appropriated before the date of enactment of this Act is repealed.

TITLE V—MILITARY FAMILY HOUSING AND HOMEOWNERS ASSISTANCE PROGRAM

AUTHORIZATION TO CONSTRUCT OR ACQUIRE HOUSING

SEC. 501. (a) The Secretary of Defense, or his designee, is authorized to construct or acquire sole interest in existing family housing units in the numbers and at the locations hereinafter named, but no family housing construction shall be commenced at any such location in the United States until the Secretary shall have consulted with the Secretary of Housing and Urban Development as to the availability of suitable private housing at such location. If agreement cannot be reached with respect to the availability of suitable private housing at any location, the Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives, in writing, of such difference of opinion, and no contract for construction at such location shall be entered into for a period of thirty days after such notification has been given. This authority shall include the authority to acquire land, and interests in land, by gift, purchase, exchange of Government-owned land, or otherwise.

Secretary of HUD, consultation.

Congressional committees, notification.

(b) With respect to the family housing units authorized to be constructed by this section, the Secretary of Defense is authorized to acquire sole interest in privately owned or Department of Housing and Urban Development held family housing units in lieu of constructing all or a portion of the family housing authorized by this

Cost limitations.

section, if he, or his designee, determines such action to be in the best interests of the United States, but any family housing units acquired under authority of this subsection shall not exceed the cost limitations specified in this section for the project nor the limitations on size specified in section 2684 of title 10, United States Code. In no case may family housing units be acquired under this subsection through the exercise of eminent domain authority, and in no case may family housing units other than those authorized by this section be acquired in lieu of construction unless the acquisition of such units is hereafter specifically authorized by law.

(c) Family housing units:

Fort Polk, Louisiana, one hundred units, $3,545,000.

Naval Complex, Adak, Alaska, one hundred units, $8,500,000.

Portsmouth Naval Complex, Kittery, Maine, two hundred units, $8,086,000.

Naval Security Group Activity, Winter Harbor, Maine, thirty-two units, $1,450,000.

Naval Complex, Bremerton, Washington, five hundred twenty units, $24,602,000.

Defense Attache Office, Quito, Ecuador, two units, $105,000.

Defense Attache Office, Wellington, New Zealand, two units, $88,000.

(d) Any of the amounts specified in this section may, at the discretion of the Secretary of Defense, or his designee, be increased by 10 per centum, if he determines that such increase (1) is required for the sole purpose of meeting unusual variations in cost, and (2) could not have been reasonably anticipated at the time such estimate was submitted to the Congress. The amounts authorized include the costs of shades, screens, ranges, refrigerators, and all other installed equipment and fixtures, the cost of the family housing unit, design, supervision, inspection, overhead, land acquisition, site preparation, and installation of utilities.

IMPROVEMENT OF EXISTING QUARTERS

SEC. 502. The Secretary of Defense, or his designee, is authorized to accomplish alterations, additions, expansions, or extensions, not otherwise authorized by law, to existing public quarters at a cost not to exceed—

(1) for the Department of the Army, $20,891,000, of which $223,000 shall be available only for energy conservation projects;

(2) for the Department of the Navy, $10,353,000, of which $3,500,000 shall be available only for energy conservation projects; and

(3) for the Department of the Air Force, $15,022,000, of which $485,000 shall be available only for energy conservation projects.

EXCEPTIONS TO IMPROVEMENT LIMITATION

SEC. 503. The Secretary of Defense, or his designee, within the amounts specified in section 502, is authorized to accomplish repairs and improvements to existing public quarters in amounts in excess of the $15,000 limitation prescribed in section 610(a) of the Military Construction Authorization Act, 1968 (Public Law 90-110; 81 Stat. 305), as follows:

Fort Bliss, Texas, one unit, $50,000.

Marine Corps Development and Education Command, Quantico, Virginia, thirty-three units, $739,880.

LEASED QUARTERS

SEC. 504. (a) (1) Chapter 159 of title 10, United States Code, relating to real property, is amended by adding at the end thereof the following new section:

"§ 2686. Leases: military family housing 10 USC 2686.

"(a) The Secretaries of the military departments are authorized to lease housing facilities for assignment as public quarters to military personnel and their dependents, without rental charge, at or near any military installation in the United States, Puerto Rico, or Guam, if the Secretary of Defense, or his designee, finds that there is a lack of adequate housing at or near such military installation and that—

"(1) there has been a recent substantial increase in military strength and such increase is temporary,

"(2) the permanent military strength is to be substantially reduced in the near future,

"(3) the number of military personnel assigned is so small as to make the construction of family housing uneconomical,

"(4) family housing is required for personnel attending service school academic courses on permanent change of station orders, or

"(5) family housing has been authorized but is not yet completed or a family housing authorization request is in a pending military construction authorization bill.

"(b) Housing facilities may be leased under subsection (a) on an individual unit basis, and not more than ten thousand such units may be so leased at any one time.

"(c) Expenditures for the rental of such housing facilities, including the cost of utilities and maintenance and operation of such facilities, may not exceed— Cost limitations.

"(1) for housing facilities in the United States (other than Alaska, Hawaii, and Guam) and Puerto Rico, (A) an average of $280 per month for each military department, or (B) $450 per month for any one unit; and

"(2) for housing facilities in Alaska, Hawaii, and Guam, (A) an average of $350 per month for each military department, or (B) $450 per month for any one unit.".

(2) The table of sections at the beginning of chapter 159 of title 10, United States Code, is amended by adding at the end thereof the following new item:

"2686. Leases: military family housing.".

(b) Section 515 of Public Law 84-161, approved July 15, 1955 (10 U.S.C. 2674 note), is repealed. Repeal. 10 USC 2674 note.

(c) The amendments made by subsection (a) and the repeal made by subsection (b) shall take effect October 1, 1977. Effective date. 10 USC 2686 note.

LEASES FOR FAMILY HOUSING FACILITIES IN FOREIGN COUNTRIES

SEC. 505. (a) Section 2675 of title 10, United States Code, is amended—

(1) by striking out the period at the end of subsection (a) and inserting in lieu thereof ", except that a lease under this section for military family housing facilities and real property relating thereto may be for a period of more than five years but may not be for a period of more than ten years.";

(2) by inserting after "under this section" in subsection (b) the following: "or any other provision of law for structures,

family housing facilities, or related real property in any foreign country"; and

(3) by adding at the end thereof the following new subsection:

Cost limitations.

"(d)(1) The average unit rental for Department of Defense family housing acquired by lease in foreign countries may not exceed $435 per month for the Department, and in no event shall the rental for any one unit exceed $760 per month, including the costs of operation, maintenance, and utilities. The Secretary of Defense may waive the cost limitations specified in the first sentence of this paragraph with respect to not more than 150 such units if such units are leased for incumbents of special positions or for personnel assigned to Defense Attaché Offices or are leased in countries where excessive costs of housing would cause undue hardship on Department of Defense personnel.

Waiver.

"(2) Not more than 15,000 family housing units may be leased in foreign countries at any one time.".

Repeal.

(b) Section 507(b) of the Military Construction Authorization Act, 1974 (87 Stat. 676), is repealed.

Effective date. 10 USC 2675 note.

(c) The amendments made by subsection (a) and the repeal made by subsection (b) shall take effect October 1, 1977.

ENERGY CONSUMPTION METERING DEVICES

SEC. 506. (a) The Secretary of Defense is authorized to accomplish the installation of energy consumption metering devices on military family housing facilities in existence or authorized before the date of enactment of this Act at a cost not to exceed—

(1) for the Department of the Army, $16,000,000;

(2) for the Department of the Navy, $24,000,000; and

(3) for the Department of the Air Force, $30,000,000.

(b) In addition to all other authorized variations of cost limitations contained in this Act and prior Military Construction Authorization Acts, the Secretary of Defense may permit increases in such cost limitations by such amounts as may be necessary to install energy consumption metering devices on military family housing facilities as authorized by subsection (a).

Applicability.

(c) This section shall apply with respect to any military family housing facility in any State, the District of Columbia, the Commonwealth of Puerto Rico, or Guam.

EXCESS ENERGY CONSUMPTION CHARGES

Regulations. 10 USC 4593 note.

SEC. 507. (a) In order to accomplish energy conservation, the Secretary of Defense shall, under such regulations as he may prescribe—

(1) establish a reasonable ceiling for the consumption of energy in any military family housing facility equipped with an appropriate energy consumption metering device; and

(2) assess the member of the Armed Forces who is the occupant of such facility a charge, at rates to be determined by the Secretary of Defense, for any energy consumption metered at such facility in excess of the ceiling established for such facility pursuant to paragraph (1).

Proceeds, deposit in account.

(b) Any proceeds from excess consumption charges under subsection (a) shall be deposited in the Department of Defense family housing management account established by section 501(a) of the Act entitled "An Act to authorize certain construction at military installations, and for other purposes", approved July 27, 1962 (42 U.S.C. 1594a-1(a)).

(c) This section shall apply with respect to any military family housing facility in any State, the District of Columbia, the Commonwealth of Puerto Rico, or Guam. **Applicability.**

(d) The provisions of subsection (a)(2) shall not be implemented until—

(1) the Secretary of Defense conducts a test program to determine the feasibility of assessing occupants of military family housing charges for excess energy consumption; **Test program.**

(2) the Secretary of Defense provides the written results of such test program, together with proposed regulations implementing this section, to the Committees on Armed Services and Appropriations of the Senate and the House of Representatives; and **Results and regulations, submittal to congressional committees.**

(3) a period of 90 days expires following the date on which the results referred to in clause (2) have been submitted to such committees.

APPROPRIATIONS LIMITATIONS

SEC. 508. There is authorized to be appropriated for use by the Secretary of Defense, or his designee, for military family housing and homeowners assistance as authorized by law for the following purposes:

(1) For construction of, or acquisition of sole interest in, family housing, including demolition, authorized improvements to public quarters, minor construction, relocation of family housing, rental guarantee payments, and planning, an amount not to exceed $65,200,000.

(2) For support of military family housing, including operating expenses, leasing, maintenance of real property, payments of principal and interest on mortgage debts incurred, payment to the Commodity Credit Corporation, and mortgage insurance premiums authorized under section 222 of the National Housing Act (12 U.S.C. 1715m), an amount not to exceed $1,441,440,000.

(3) For homeowners assistance under section 1013 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374), including acquisition of properties, an amount not to exceed $3,000,000.

(4) For procurement and installation of energy consumption measuring devices, an amount not to exceed $70,000,000.

TITLE VI—GENERAL PROVISIONS

WAIVER OF RESTRICTIONS

SEC. 601. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774 and 9774 of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

APPROPRIATIONS LIMITATIONS

SEC. 602. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, IV, and V, shall not exceed—

(1) for title I: inside the United States, $780,598,000; outside the United States, $280,701,000; or a total of $1,061,299,000;

(2) for title II: inside the United States, $427,943,000; outside the United States $25,711,000; or a total of $453,654,000;

(3) for title III: inside the United States, $273,307,000; outside the United States, $147,942,000; or a total of $421,249,000;

(4) for title IV: a total of $55,909,000; and

(5) for title V: military family housing, a total of $1,579,640,000.

COST VARIATIONS

SEC. 603. (a) Except as provided in subsections (b) and (c), any of the amounts specified in titles I, II, III, and IV of this Act may, at the discretion of the Secretary of the military department or Director of the defense agency concerned, be increased by 5 per centum when inside the United States (other than Hawaii and Alaska), and by 10 per centum when outside the United States or in Hawaii and Alaska, if he determines that such increase (1) is required for the sole purpose of meeting unusual variations in cost, and (2) could not have been reasonably anticipated at the time such estimate was submitted to the Congress.

(b) When the amount authorized for any construction or acquisition in title I, II, III, or IV of this Act involves only one project at any military installation and the Secretary of the military department or Director of the defense agency concerned determines that such amount must be increased by more than the applicable percentage prescribed in subsection (a), he may proceed with such construction or acquisition if the amount of the increase does not exceed by more than 25 per centum the amount authorized for such project.

Report to congressional committees.

(c) When the Secretary of Defense determines that any amount authorized in title I, II, III, or IV of this Act must be exceeded by more than the percentages permitted in subsections (a) and (b) to accomplish authorized construction or acquisition, the Secretary of the military department or Director of the defense agency concerned may proceed with such construction or acquisition after a written report of the facts relating to the increase of such amount, including a statement of the reasons for such increase, has been submitted to the Committees on Armed Services of the Senate and House of Representatives, and either (1) thirty days have elapsed from date of submission of such report, or (2) both committees have indicated approval of such construction or acquisition. Notwithstanding the provisions in prior Military Construction Authorization Acts, the provisions of this subsection shall apply to such prior Acts.

Applicability.

Cost limitation.

(d) Notwithstanding the foregoing provisions of this section, the total cost of all construction and acquisition in each such title may not exceed the total amount authorized to be appropriated in that title.

(e) No individual project authorized under title I, II, III, or IV of this Act for any specifically listed military installation for which the current working estimate is $400,000 or more may be placed under contract if—

(1) the approved scope of the project is reduced in excess of 25 per centum; or

(2) the current working estimate, based upon bids received, for the construction of such project exceeds by more than 25 per centum the amount authorized for such project by the Congress, until a written report of the facts relating to the reduced scope or increased cost of such project, including a statement of the reasons for such reduction in scope or increase in cost, has been submitted to the Committees on Armed Services of the Senate and House of Representatives, and either thirty days have elapsed from date of submission of such report or both committees have indicated approval of such reduction in scope or increase in cost, as the case may be.

Report to congressional committees.

(f) The Secretary of Defense shall submit an annual report to the Congress identifying each individual project which has been placed under contract in the preceding twelve-month period and with respect to which the then current working estimate of the Department of Defense based upon bids received for such project exceeded the amount authorized by the Congress for that project by more than 25 per centum. The Secretary shall also include in such report each individual project with respect to which the scope was reduced by more than 25 per centum in order to permit contract award within the available authorization for such project. Such report shall include all pertinent cost information for each individual project, including the amount in dollars and percentage by which the current working estimate based on the contract price for the project exceeded the amount authorized for such project by the Congress.

Annual report to Congress.

CONSTRUCTION SUPERVISION

SEC. 604. Contracts for construction made by the United States for performance within the United States and its possessions under this Act shall be executed under the jurisdiction and supervision of the Corps of Engineers, Department of the Army, the Naval Facilities Engineering Command, Department of the Navy, or such other department or Government agency as the Secretaries of the military departments recommend and the Secretary of Defense approves to assure the most efficient, expeditious, and cost-effective accomplishment of the construction herein authorized. The Secretaries of the military departments shall report annually to the President of the Senate and the Speaker of the House of Representatives a breakdown of the dollar value of construction contracts completed by each of the several construction agencies selected together with the design, construction supervision, and overhead fees charged by each of the several agents in the execution of the assigned construction. Further, such contracts (except architect and engineering contracts which, unless specifically authorized by the Congress, shall continue to be awarded in accordance with presently established procedures, customs, and practice) shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code. The Secretaries of the military departments shall report annually to the President of the Senate and the Speaker of the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder. Such reports shall also show, in the case of the ten architect-engineering firms which, in terms of total dollars, were awarded the most business, the names of such firms, the total number of separate contracts awarded each such

Contracts.

Annual report to Congress.

10 USC 2301 *et seq.*

Annual report to Congress.

firm, and the total amount paid or to be paid in the case of each such action under all such contracts awarded such firm.

REPEAL OF PRIOR AUTHORIZATIONS; EXCEPTIONS

Effective date.

SEC. 605. (a) Effective October 1, 1978, all authorizations for military public works, including family housing, to be accomplished by the Secretary of a military department in connection with the establishment or development of installations and facilities, and all authorizations for appropriations therefor, that are contained in titles I, II, III, IV, and V of the Military Construction Authorization Act, 1977 (Public Law 94-431; 90 Stat. 1349), and all such authorizations contained in Acts approved before September 30, 1976, and not superseded or otherwise modified by later authorizing legislation are repealed except—

Exceptions.

(1) authorizations for public works and for appropriations therefor that are set forth in those Acts in the titles that contain the general provisions; and

(2) authorizations for public works projects as to which appropriated funds have been obligated for construction contracts, land acquisition, or payments to the North Atlantic Treaty Organization, in whole or in part, before October 1, 1978, and authorizations for appropriations therefor.

(b) Notwithstanding the provisions of subsection (a) of this section and section 605(a) of the Military Construction Authorization Act, 1977 (Public Law 94-431; 90 Stat. 1363), authorizations for the following items shall remain in effect until January 1, 1980:

(1) Aeromedical research building construction in the amount of $9,139,000 at Fort Rucker, Alabama, authorized in section 101 of the Military Construction Authorization Act, 1976 (Public Law 94-107; 89 Stat. 546).

(2) Academic Building construction in the amount of $5,315,000 at Fort Huachuca, Arizona, authorized in section 101 of the Military Construction Authorization Act, 1976 (Public Law 94-107; 89 Stat. 547).

(3) Solar energy plant construction in the amount of $690,000 at Fort Huachuca, Arizona, authorized in section 101 of the Military Construction Authorization Act, 1976 (Public Law 94-107; 89 Stat. 547).

(4) Relocation of the weapons range from the Culebra Complex in the amount of $12,000,000 for the Atlantic Fleet Weapons Range, Roosevelt Roads, Puerto Rico, authorized in section 204 of the Military Construction Authorization Act, 1974 (Public Law 93-166; 87 Stat. 668) and extended in section 605(b)(H) of the Military Construction Authorization Act, 1976 (Public Law 94-107; 89 Stat. 565).

(5) Solar observation facilities construction in the amount of $2,011,000 at various locations worldwide, authorized in section 301 of the Military Construction Authorization Act, 1976 (Public Law 94-107; 89 Stat. 555).

UNIT COST LIMITATIONS

SEC. 606. None of the authority contained in titles I, II, III, and IV of this Act shall be deemed to authorize any building construction project inside the United States in excess of a unit cost to be determined in proportion to the appropriate area construction cost index,

based on the following unit cost limitations where the area construction index is 1.0:

(1) $42 per square foot for permanent barracks; or

(2) $45 per square foot for bachelor officer quarters;

unless the Secretary of Defense, or his designee, determines that because of special circumstances, application to such project of the limitations on unit costs contained in this section is impracticable. Notwithstanding the limitations contained in prior Military Construction Authorization Acts on unit costs, the limitations on such costs contaned in this section shall apply to all prior authorizations for such construction not heretofore repealed and for which construction contracts have not been awarded by the date of enactment of this Act.

INCREASES FOR SOLAR HEATING AND SOLAR COOLING EQUIPMENT

SEC. 607. The Secretary of Defense shall encourage the utilization of solar energy as a source of energy for projects authorized by this Act where utilization of solar energy would be practical and economically feasible. In addition to all other authorized variations of cost limitations or floor area limitations contained in this Act or prior Military Construction Authorization Acts, the Secretary of Defense, or his designee, may permit increases in the cost limitations or floor area limitations by such amounts as may be necessary to equip any project with solar heating equipment, solar cooling equipment, or both solar heating and solar cooling equipment.

MINOR CONSTRUCTION PROJECTS

SEC. 608. (a) Section 2674 of title 10, United States Code, is amended to read as follows:

"§ 2674. Minor construction projects 10 USC 2674.

"(a) Under such regulations as the Secretary of Defense may prescribe, the Secretary of a military department or the Director of a defense agency may acquire, construct, convert, extend, and install, at military installations and facilities, permanent or temporary public works not otherwise authorized by law including the preparation of sites and the furnishing of appurtenances, utilities, and equipment, but excluding the construction of family quarters. Regulations.

"(b) This section does not authorize a project costing more than $500,000. A project costing more than $400,000 must be approved in advance by the Secretary of Defense, and a project costing more than $300,000 must be approved in advance by the Secretary of the military department or the Director of the defense agency concerned. Cost limitations.

"(c) The total costs for all projects initiated under authority of this section by any military department, or by the defense agencies, in any fiscal year (except those projects funded from appropriations available for operations and maintenance as provided in subsection (e)) may not exceed the total amount authorized for minor construction projects for such military department or for the defense agencies, as the case may be, in the annual Military Construction Authorization Act for such fiscal year.

"(d) Not more than $50,000 may be spent under this section during a fiscal year at any one installation or facility to convert structures to family quarters.

"(e) Only funds appropriated to a military department or to the defense agencies for minor construction projects may be used by such department or by such agencies to accomplish minor construction proj-

ects, except that the Secretary of a military department or the Director of a defense agency may spend, from appropriations available for maintenance and operations, amounts necessary for any project costing not more than $100,000 that is authorized under this section.

Annual report to congressional committees.

"(f) The Secretary of each military department and the Secretary of Defense, for the defense agencies, shall submit an annual detailed report to the Committees on Armed Services and Appropriations of the Senate and House of Representatives on the administration of this section. In addition, such committees shall be notified in writing at least 30 days before any funds are obligated for a project approved under this section costing more than $300,000.

Notification to congressional committees.

"Project."

"(g) As used in this section, 'project' means a single undertaking which includes all construction work, land acquisition, and installation of equipment necessary to (1) accomplish a specific purpose, and (2) produce a complete and usable facility or a complete and usable improvement to an existing facility.

"(h) The Directors of the defense agencies shall carry out the construction of minor projects under authority of this section by or through a military department designated by the Secretary of Defense as provided in section 2682 of this title.".

(b) The item relating to section 2674 in the analysis at the beginning of chapter 159 of title 10, United States Code, is amended to read as follows:

"2674. Minor construction projects.".

Effective date. 10 USC 2674 note.

(c) The amendments made by this section shall become effective October 1, 1978.

GAS PRICING, BARROW, ALASKA

SEC. 609. The Secretary of the Navy shall, with respect to any natural gas supplied by the Department of the Navy to villages and facilities at or near Point Barrow, Alaska, during the period beginning on October 1, 1974, and ending on April 6, 1976, charge such villages and facilities for such gas at a rate equal to the rate charged for natural gas supplied to such villages and facilities by the Department of the Navy pursuant to section 104(e) of the Naval Petroleum Reserves Production Act of 1976 (42 U.S.C. 6504(e)), after April 6, 1976.

USE OF PROCEEDS FROM TIMBER SALES

SEC. 610. Section 2665(d) of title 10, United States Code, is amended to read as follows:

"(d) Appropriations of the Department of Defense available for operation and maintenance during a fiscal year may be reimbursed for all expenses of production of lumber and timber products pursuant to this section from amounts received as proceeds from the sale of any such property during such fiscal year.".

REVISION IN NUMBER OF NAVAL DISTRICTS

Repeal. 10 USC 5221, 5222.

SEC. 611. (a) Chapter 516 of title 10, United States Code, is repealed.

(b) The tables of chapters at the beginning of subtitle C, and at the beginning of part I of subtitle C, of title 10, United States Code, are each amended by striking out the item relating to chapter 516.

BASE CLOSURES AND REALIGNMENTS

SEC. 612. (a) Chapter 159 of title 10, United States Code, as amended by section 504 of this Act, is amended by adding at the end thereof a new section as follows:

"§ 2687. Base closures and realignments 10 USC 2687.

"(a) Notwithstanding any other provision of law, no action may be taken to effect or implement—

"(1) the closure of any military installation;

"(2) any realignment with respect to any military installation involving a reduction by more than one thousand, or by more than 50 percent, in the number of civilian personnel authorized to be employed at such military installation at the time the Secretary of Defense or the Secretary of the military department concerned notifies the Congress under subsection (b)(1) that such installation is a candidate for closure or realignment; or

"(3) any construction, conversion, or rehabilitation at any military facility other than a military installation referred to in clause (1) or (2) (regardless of whether such facility is a military installation as defined in subsection (d)) which will or may be required as a result of the relocation of civilian personnel to such facility by reason of any closure or realignment to which clause (1) or (2) applies,

unless and until the provisions of subsection (b) are complied with.

"(b) No action described in subsection (a) with respect to the closure of, or a realignment with respect to, any military installation may be taken unless and until—

"(1) the Secretary of Defense or the Secretary of the military department concerned publicly announces, and notifies the Committees on Armed Services of the Senate and the House of Representatives in writing, that such military installation is a candidate for closure or realignment; Public notice. Notification to congressional committees.

"(2) the Secretary of Defense or the Secretary of the military department concerned complies with the requirements of the National Environmental Policy Act of 1969 with respect to the proposed closure or realignment; 42 USC 4321 note.

"(3) the Secretary of Defense or the Secretary of the military department concerned submits to the Committees on Armed Services of the Senate and House of Representatives his final decision to carry out the proposed closure or realignment and a detailed justification for such decision, including statements of the estimated fiscal, local economic, budgetary, environmental, strategic, and operational consequences of the proposed closure or realignment; and Decision, submittal to congressional committees.

"(4) a period of sixty days expires following the date on which the justification referred to in clause (3) has been submitted to such committees, during which period no irrevocable action may be taken to effect or implement the decision.

"(c) This section shall not apply to the closure of a military installation, or a realignment with respect to a military installation, if the President certifies to the Congress that such closure or realignment must be implemented for reasons of national security or a military emergency. Certification to Congress.

"(d) As used in this section:

"(1) 'Military installation' means any camp, post, station, base, yard, or other facility under the authority of the Department of Defense— Definitions.

"(A) which is located within any of the several States,

the District of Columbia, the Commonwealth of Puerto Rico, or Guam; and

"(B) at which not less than five hundred civilian personnel are authorized to be employed.

Such term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.

"(2) 'Civilian personnel' means direct-hire permanent civilian employees of the Department of Defense.

"(3) 'Realignment' includes any action which both reduces and relocates functions and civilian personnel positions, but does not include a reduction in force resulting from workload adjustments, reduced personnel or funding levels, skill imbalances, or other similar causes.

Applicability.

"(e) Except as provided in subsection (c), this section shall apply to any closure of a military installation, and any realignment with respect to a military installation, which is first publicly announced after September 30, 1977.".

(b) The table of sections at the beginning of chapter 159 of such title is amended by adding at the end thereof a new item as follows:

"2687. Base closures and realignments.".

(c) Section 611 of the Military Construction Authorization Act, 1966 (Public Law 89-188; 10 U.S.C. 2662 note), and section 612 of the Military Construction Authorization Act, 1977 (Public Law 94-431; 90 Stat. 1366), shall be inapplicable in the case of any closure of a military installation, and any realignment with respect to a military installation, which is first publicly announced after September 30, 1977.

AUTHORITY FOR LONG TERM CONTRACT REFUSE-DERIVED FUEL

SEC. 613. The Secretary of a military department may enter into contracts for periods not to exceed ten years for the purchase of fuel derived from waste materials (commonly known as refuse-derived fuel (RDF)). Such contracts may provide for the collection and disposal of solid waste from Department of Defense installations and for the delivery to Department of Defense installations of refuse-derived fuel which, by weight, exceeds that installation's generation of solid waste. Funds for such contracts shall be provided from annual appropriations for operation and maintenance.

Funds.

USE OF COMMISSARY SURCHARGE FUNDS FOR THE CONSTRUCTION OF COMMISSARIES OVERSEAS

SEC. 614. Section 2685(b) of title 10, United States Code, is amended by striking out "within the United States".

LAND CONVEYANCE, LOS ANGELES, CALIFORNIA

SEC. 615. The Secretary of the Navy is authorized to convey to the City of Los Angeles, California, subject to such terms and conditions as the Secretary shall deem to be in the public interest, all right, title, and interest of the United States in and to a parcel of land consisting of approximately thirty-five acres, with improvements thereon, located in the City of Los Angeles, north of and separated from Reeves Field by Seaside Avenue, in exchange for the conveyance by the City of Los Angeles to the United States of the unencumbered fee title to approximately thirty-five acres of land adjacent to the western boundary of the Naval Support Activity, Long Beach, California, to be

improved in a manner acceptable to the Secretary, and subject to such other conditions as the Secretary shall deem to be in the public interest. The exact acreages and legal descriptions of both properties are to be determined by accurate surveys as mutually agreed upon by the Secretary and the City of Los Angeles.

LAND CONVEYANCE, SAN DIEGO, CALIFORNIA

SEC. 616. The Secretary of the Navy is authorized to convey to the City of San Diego, California, all right, title, and interest of the United States in land at the Naval Regional Medical Center, San Diego, in exchange for a lease of not to exceed fifty years, with an option to renew such lease for twenty-five years, for an identical number of acres for hospital and related uses.

LAND CONVEYANCE, NEW HAMPSHIRE

SEC. 617. (a)(1) The Secretary of the Army (hereinafter in this section referred to as the "Secretary") is authorized to convey to the Manchester Airport Authority, of Manchester, New Hampshire, subject to such terms and conditions as the Secretary considers appropriate, all right, title, and interest of the United States in and to a portion of land adjacent to the Manchester Municipal Airport consisting of approximately 8.3 acres, together with any improvements thereon.

(2) In consideration for the conveyance by the Secretary under paragraph (1), the Manchester Airport Authority shall convey to the United States unencumbered fee title to an area of land which the Secretary considers to be of equivalent value to the land conveyed by the Secretary under paragraph (1) and which is otherwise acceptable to the Secretary.

(b) The exact acreages and legal descriptions of the lands to be conveyed under subsection (a) shall be determined by surveys as mutually agreed upon by the Secretary and the Manchester Airport Authority.

(c) The Secretary is authorized to accept the lands conveyed to the United States under subsection (a)(2), which lands shall be administered by the Secretary.

LAND CONVEYANCE, COLORADO

SEC. 618. The Secretary of the Air Force is authorized to acquire, by exchange with the City of Colorado Springs, Colorado, all right, title and interest of such city in approximately one hundred sixty seven acres of land lying adjacent to the northerly boundary of Peterson Air Force Base, El Paso County, Colorado. As consideration for this exchange, the Secretary of the Air Force is authorized to convey to the City of Colorado Springs land and improvements on Ent Air Force Base, in the City of Colorado Springs, equal in monetary value to the land to be acquired. The exact acreages and legal descriptions of both such properties are to be determined by accurate surveys as mutually agreed upon by the Secretary and the City of Colorado Springs.

LAND CONVEYANCE, SAN FRANCISCO, CALIFORNIA

SEC. 619. (a) The first section of the Act entitled "An Act authorizing the Secretary of the Army to convey certain lands to the city and county of San Francisco", approved October 13, 1949 (63 Stat. 844), is amended by inserting "or jointly for public park and recrea-

tional uses and other public purposes," after "recreational purposes,".

Instructions, deeds, etc.

(b) The Secretary of the Army shall issue such written instructions, deeds, or other instruments as may be necessary to bring the conveyance made to the city and county of San Francisco, California, under authority of such Act of October 13, 1949, into conformity with the amendment made by subsection (a) of this section.

TITLE VII—GUARD AND RESERVE FACILITIES

AUTHORIZATION FOR FACILITIES

10 USC 2231 *et seq.*

SEC. 701. Subject to chapter 133 of title 10, United States Code, the Secretary of Defense may establish or develop additional facilities for the Guard and Reserve Forces, including the acquisition of land therefor, but the cost of such facilities shall not exceed—

(1) for the Department of the Army—

(A) for the Army National Guard of the United States, $44,377,000; and

(B) for the Army Reserve, $41,390,000;

(2) for the Department of the Navy, for the Naval and Marine Corps Reserves, $19,800,000; and

(3) for the Department of the Air Force—

(A) for the Air National Guard of the United States, $37,300,000; and

(B) for the Air Force Reserve, $10,100,000.

WAIVER OF CERTAIN RESTRICTIONS

SEC. 702. The Secretary of Defense may establish or develop installations and facilities under this title without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774 and 9774 of title 10, United States Code. The authority to place permanent or temporary improvements on lands includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

Approved August 1, 1977.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 95-290 accompanying H.R. 6990 (Comm. on Armed Services) and 95-494 (Comm. of Conference).
SENATE REPORT No. 95-125 (Comm. on Armed Services).
CONGRESSIONAL RECORD, Vol. 123 (1977):
May 13, considered and passed Senate.
June 6, considered and passed House, amended, in lieu of H.R. 6990.
July 19, House agreed to conference report.
July 20, Senate agreed to conference report.