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94TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
2d Session } { No. 94-1371

AUTHORIZING CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS AND FOR OTHER PURPOSES

JULY 27, 1976.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. RICHARD H. ICHORD, from the Committee on Armed Services,
submitted the following

REPORT

together with

DISSENTING VIEWS

[To accompany H.R. 14846]

The Committee on Armed Services, to whom was referred the bill (H.R. 14846) to authorize certain construction at military installations and for other purposes having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows: Page 37, line 6, between the words "SOLAR" and "EQUIPMENT" insert the word "COOLING".

EXPLANATION OF THE AMENDMENT

The amendment corrects a printing error.

PURPOSE OF THE BILL

The purpose of H.R. 14846 is to provide military construction authorization and related authority in support of the military departments during fiscal year 1977. The bill, as approved by the Committee on Armed Services, totals \$3,323,989,000 in new authorization and provides construction authorization in support of the active forces, Reserve components, Defense agencies, and military housing. Committee review resulted in a reduction of \$44,226,000 in new obligational authority.

A brief summary of the authorizations provided in H.R. 14846 follows:

TOTAL AUTHORIZATION GRANTED, FISCAL YEAR 1977

Brief of authorizations

	<i>In thousands</i>
Title I (Army):	
Inside the United States.....	\$419, 837
Outside the United States.....	164, 661
Subtotal.....	<u>584, 498</u>
Title II (Navy):	
Inside the United States.....	481, 580
Outside the United States.....	19, 356
Subtotal.....	<u>500, 936</u>
Title III (Air Force):	
Inside the United States.....	679, 759
Outside the United States.....	56, 650
Subtotal.....	<u>736, 409</u>
Title IV (Defense agencies).....	<u>32, 946</u>
Title V (military family housing).....	<u>1, 304, 523</u>
Title VII (Reserve Forces facilities):	
Army National Guard.....	54, 745
Army Reserve.....	44, 459
Naval and Marine Corps Reserve.....	21, 800
Air National Guard.....	33, 900
Air Force Reserve.....	9, 773
Subtotal.....	<u>164, 677</u>
Total granted by titles I, II, III, IV, V, and VII.....	<u>3, 323, 899</u>

BASIS OF THE BILL

Military construction requirements for fiscal year 1977 as contained in this legislation were developed on the same basis as the Department's request presented to Congress for military procurement. This concept involves the so-called package program method of identifying our military forces with their primary missions and then assigning to these forces the weapons, equipment, and facilities necessary to discharge effectively these assigned mission responsibilities.

The Department of Defense requested new authorization in the amount of \$3,368,215,000 for fiscal year 1977. The fiscal year 1977 authorization request is approximately \$0.5 billion or 13 percent lower than the \$3.9 billion requested in fiscal year 1976 which excludes the \$331 million requested in the Fiscal Year 1976 bill for the three-month transition. The 1977 request reverses the gradually increasing amounts requested for military construction in recent years and if the \$265 million attributed to inflation and the \$437 million for the Aero-propulsion Systems Test Facility (ASTF) were deducted, the Fiscal Year 1977 request would be comparable to the fiscal year 1973 request of \$2.7 billion.

While the Armed Services Committee is well aware of the many deficiencies in our military facilities, the bill, as submitted, suggested to us that a very close look at the individual requests, especially hospital costs and barracks costs, was in order and necessary to assure that only those items essential to our national defense interests would be approved.

COMMITTEE HEARINGS

A careful examination of the individual projects requested by the Department of Defense was made by the Military Installations and Facilities Subcommittee of the Committee on Armed Services. These hearings, held in February and March of this year, resulted in the bill H.R. 12384, accompanied by House Report No. 94-964. H.R. 12384 was passed by the House on May 7, 1976. The Senate passed its version of H.R. 12384 on May 20, 1976 (See Senate Report No. 94-856). On June 2, the House and Senate met in conference on differences between the two bills and reported out a compromise measure contained in House Conference Report No. 94-1243, which was later adopted by both the House and Senate.

The President vetoed H.R. 12384 on July 2 because of his objections to Section 612 of the bill which would have established a time-phased procedure to be followed by the Department of Defense in implementing base closures and reductions. On July 22, the House by a vote of 270 to 131 successfully overrode the President's objections but the Senate by a vote of 51 to 42 sustained his veto of H.R. 12384, thus requiring the Congress to reconsider the legislation.

H.R. 14846 is exactly the same as H.R. 12384 except that the provision dealing with base closures has been deleted. This does not mean that the Committee's concern over proposed base realignments has diminished, for it will expect to be informed fully by the Department of Defense of its justifications to implement any of the proposed base closures or reductions recently identified by the Armed Services. However, the Committee does feel that it has an overriding responsibility to move expeditiously to put into law a bill authorizing military construction and family housing operations and maintenance for fiscal year 1977 so that corresponding appropriations already signed into law can be used.

The basic reason for the base realignment provision in H.R. 12384 was to establish a procedure for the reasonable and orderly realignment of military facilities and it is the clear intention of the Military Installations and Facilities Subcommittee to hold hearings on this issue during consideration of the Military Construction Authorization Bill for fiscal year 1978.

One of the candidates for reduction in scope is the Naval Ship Repair Facility on Guam. The Committee believes that the facility's operational level should not be reduced at this time since U.S. base rights in the Philippines are being renegotiated. The following July 26, 1976 letter from the Secretary of the Navy to the Chairman of the Subcommittee on Military Installations and Facilities states that the Navy has decided to withhold any phasing down of the Guam facility pending outcome of the U.S.-Philippine base rights negotiations.

THE SECRETARY OF THE NAVY,
Washington, D.C., July 26, 1976.

HON. RICHARD H. ICHORD,
Chairman, Subcommittee on Military Installations and Facilities,
Committee on Armed Services, House of Representatives, Washington,
D.C.

DEAR MR. ICHORD: Thank you for your letter of July 9th concerning the Ship Repair Facility, Guam.

The proposal to reduce the Ship Repair Facility, Guam, and to place this facility in caretaker status is still being studied within the Navy. Be assured that a review of the study recommendations will take into consideration both the comments in your letter and the report of the two-member delegation from the Subcommittee on Military Installations and Facilities, which was forwarded by your letter.

With regard to your comments concerning the Philippine Base negotiations, I would like to assure you that Navy requirements are well known and would also note that the Navy has a representative in the negotiating group. I can further assure you that the Navy will not phase down the Ship Repair Facility pending the outcome of the Philippine Base negotiations.

Sincerely,

J. WILLIAM MIDDENDORF II.

ORIGINAL DEPARTMENTAL REQUEST TOGETHER WITH THE COMMITTEE ACTION AS REFLECTED IN H.R. 14846
(AMENDED)

(Dollar amounts in thousands)

Title and service	DOD request	Change by HASC	Percent change	Total amount approved by HASC
I. Army.....	\$616,500	-\$32,002	-5.2	\$584,498
II. Navy.....	526,913	-25,977	-4.9	500,936
III. Air Force.....	730,233	+6,176	+0.8	736,409
IV. Defense agencies.....	64,650	-31,704	-49.0	32,946
V. Military family housing.....	1,302,847	+1,676	+0.1	1,304,523
VII. Guard/Reserves.....	127,072	+37,605	+29.6	164,677
Total.....	3,368,215	-44,226	-1.3	3,323,989

FISCAL DATA

The original submission for the fiscal year 1977 for the Military Construction Authorization Bill was in the amount of \$3,368,215,000. Committee action resulted in a net reduction of \$44,226,000, so that the enactment of this measure will authorize the expenditure of \$3,323,989,000, of which \$164,677,000 represents construction for the Reserve components.

FIVE-YEAR COST PROJECTION

The Committee, in complying with the requirement of Section 252 (b) of the Legislative Reorganization Act of 1970 (Public Law 91-510), requested a letter from the Department of Defense containing a five-year projection of the costs that would be engendered by this legislation. The reply, which is self-explanatory, is set out below:

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., July 26, 1976.

HON. MELVIN PRICE,
Chairman, Committee on Armed Services,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to the requirement of section 252(b) of the Legislative Reorganization Act of 1970 (Public Law 91-510). Our estimate of the cost to be incurred in carrying out the proposed Military Construction Authorization Bill, FY 1977 (\$3,323,989,000) in Fiscal Year 1977, and in each of the five succeeding fiscal years is as follows:

Fiscal year:	Outlays
1977.....	\$918,192,000
1978.....	1,162,670,000
1979.....	597,287,000
1980.....	270,152,000
1981.....	91,801,000
1982 and later.....	171,340,000
Total.....	\$3,211,442,000

¹ Excludes family housing debt reduction of \$112,547,000.

If we can be of any further assistance in this regard, please advise.
Sincerely yours,

PERRY J. FLIAKAS,
Deputy Assistant Secretary of Defense
(Installations and Housing).

The committee points out to the House that this is an annual authorization act. The authorizations herein provided are reviewed annually by the committee and the Congress.

COMMITTEE POSITION

On Tuesday July 27, 1976, the Armed Services Committee by a 28 aye and 1 nay vote agreed to report H.R. 14846 to the House.

DEPARTMENTAL DATA

This measure is part of the legislative program of the Department of Defense for fiscal year 1977. The submission by the department in the amount \$3,368,215,000 was dated February 5, 1976 as shown by the letter from the Deputy Secretary of Defense William P. Clements, Jr.

THE SECRETARY OF DEFENSE,
Washington, D.C., February 5, 1976.

HON. CARL ALBERT,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: There is forwarded herewith a draft of legislation "To authorize certain construction at military installations and for other purposes."

This proposal is a part of the Department of Defense legislative program for fiscal year 1977. The Office of Management and Budget on

January 23 1976 advised that its enactment would be in accordance with the program of the President.

Appropriations in support of titles I through VII of this legislation are provided for in the Budget of the United States Government for the fiscal year 1977.

Titles I, II, III, and IV of this proposal would authorize \$1,938,296,000 in new construction for requirements of the Active Forces of which \$616,500,000 are for the Department of the Army; \$526,913,000 for the Department of the Navy; \$730,233,000 for the Department of the Air Force; and \$64,650,000 for the Defense Agencies.

Title V contains legislative recommendations considered necessary to implement the Department of Defense family housing program and authorizes \$1,302,847,000 for costs of that program for fiscal year 1977.

Title VI contains General Provisions generally applicable to the Military Construction program.

Title VII totaling \$127,072,000 would authorize construction for the Guard and Reserve Forces of which \$40,817,000 is for the Army National Guard; \$37,655,000 for the Army Reserve; \$15,300,000 for the Naval and Marine Corps Reserves; \$24,300,000 for the Air National Guard; and \$9,000,000 for the Air Force Reserve. These authorizations are in lump sum amounts and will be utilized in accordance with the requirements of chapter 133 title 10, United States Code.

Title VIII contains authorizations for fiscal year 1978 military construction totaling \$3,783,614,000. This authorization includes \$885,800,000 for the Department of the Army; \$639,649,000 for the Department of the Navy; \$618,800,000 for the Department of the Air Force; \$145,800,000 for the Defense Agencies; \$1,340,865,000 for the Department of Defense family housing and homeowners assistance programs; and \$152,700,000 for the Guard and Reserve Forces, of which \$48,000,000 is for the Army National Guard; \$46,900,000 for the Army Reserve; \$21,200,000 for the Naval and Marine Corps Reserves; \$26,600,000 for the Air National Guard; and \$10,000,000 for the Air Force Reserve. The amounts requested for fiscal year 1978 authorizations reflect, of course, the presently anticipated budget requirements for that fiscal year.

Additionally, included in title I, pursuant to last year's amendment to section 138 of title 10, United States Code is authorization for construction of production base support at Army Ammunition Facilities, for which appropriations are being requested in the DOD Appropriation Act.

The projects which would be authorized by this proposal have been reviewed to determine if environmental impact statements are required in accordance with Public Law 91-190. Required environmental statements will be submitted to the Congress by the Military Departments.

Arms control impact statements as most recently required by section 36 of the Arms Control and Disarmament Act, as amended, will be prepared and furnished as soon as possible if it is determined that any of the authorization sought in this legislation is subject to the requirements of that section.

Sincerely,

WILLIAM P. CLEMENTS, Jr., *Deputy.*

Enclosure: Identical letter to the President of the Senate.

INFLATION IMPACT STATEMENT

The enactment of this legislation should not, in and of itself, have any inflationary effect upon the economy of the United States. The primary purpose of this legislation is to authorize appropriations for the purpose stated in the bill, while appropriations will be the subject of separate legislation. The outlay and obligational authority provided in appropriation acts are the only sources of new spending which can actually add dollars to the national economy. Since these sums are yet to be determined, no assessment of their economic effects can be made at this time.

COMPLIANCE WITH CLAUSE 2(i) OF RULE XI OF THE RULES

(1) With reference to clause 2(1)(3)(C) of rule XI of the Rules of the House of Representatives, the Committee on Armed Services has received an estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act.

CONGRESS OF THE UNITED STATES,
CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., July 27, 1976.

HON. MELVIN PRICE,
Chairman, Committee on Armed Services, U.S. House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimate for H.R. 14846, a bill to authorize certain construction at military installations, operation of family housing, and repayment of debt. This estimate is based on budget authority amounts identical to amounts recommended by the committee of conference on H.R. 12384.

Should the Committee so desire, we would be pleased to provide further details on the attached cost estimate.

Sincerely,

ALICE M. RIVLIN, *Director.*

CONGRESSIONAL BUDGET OFFICE

COST ESTIMATE, JULY 27, 1976

1. Bill No.: H.R. 14846.
2. Bill title: Military Construction and Family Housing Authorization Act, 1977.
3. Purpose of bill: The purpose of this legislation is to authorize certain construction at military installations, operation of family housing, and repayment of debt, totaling \$3,323,989,000.
4. Budget impact: See table I on next page.
5. Basis for estimate: The estimates assume that funds will be appropriated for the full amount of the authorization, and available for obligation not later than 1 October 1976.
6. Estimate comparison: No DOD estimate was available to CBO at the time this estimate was prepared.

7. Previous CBO estimate: CBO previously prepared an estimate on H.R. 12384, Military Construction Family Housing Act, 1977 on March 22, 1976, as reported by the House. The H.R. 14846 estimate is based on budget authority amounts identical to the amounts recommended by the committee of conference on H.R. 12384. The present estimate utilizes revised outlay rates.

8. Estimate prepared by: Terry Nelson.

9. Estimate approved by: James L. Blum, Assistant Director for Budget Analysis.

TABLE 1.—BUDGET IMPACT
(In thousands of dollars)

	Authoriza- tion amounts (budget authority)	Estimated costs: fiscal year—				
		1977	1978	1979	1980	1981
Title I: Military construction, Army	584,498	20,566	314,460	89,428	52,605	47,929
Title II: Military construction, Navy	500,936	22,871	199,373	141,264	81,633	12,022
Title III: Military construction, Air Force	736,409	28,165	299,409	247,433	98,679	21,376
Title IV: Military construction, defense agencies	32,946	1,031	11,630	12,651	3,789	1,911
Title V: Family housing construction	80,576	774	17,018	30,941	20,885	3,868
Family housing, debt payment ¹	46,200	45,738	462			
Family housing, operation and maintenance	1,065,200	779,407	238,072	36,643	11,078	
Title VII: Military construction, Army National Guard	54,745	3,153	36,241	7,883	3,668	1,204
Military construction, Air National Guard	33,900	1,952	22,442	6,508	1,288	339
Military construction, Army Reserve	44,459	2,134	19,206	14,538	3,823	1,239
Military construction, Naval Reserve	21,800	837	7,543	7,543	2,921	1,079
Military construction, Air Force Reserve	9,773	938	6,567	1,407	371	98
Total ²	3,211,442	907,568	1,162,423	596,640	280,760	91,695

¹ Totals may not add due to rounding.

² See the following table:
Family housing, debt payment appropriation..... 158,747
Less portion applied to debt reduction..... -112,347
Budget authority..... 46,200

³ See the following table:
Grand total as shown in conference report..... 3,323,989
Less debt reduction..... -112,347
Total budget authority..... 3,211,442

(2) With reference to clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the committee has not received a report from the Committee on Government Operations pertaining to this subject matter.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, there is herewith printed in parallel columns the text of provisions of existing law which would be repealed or amended by the various provisions of the bill as reported.

EXISTING LAW

THE BILL

Act of Nov. 29, 1973 (87 Stat. 679, Public Law 93-166) as amended.

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—

(2) for title II: Inside the United States \$549,849,000; outside the United States, \$58,833,000, or a total of \$608,682,000.

Act of October 7, 1975 (89 Stat. 546, Public Law 94-07).

SEC. 501.

(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 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

Sec. 203. Public Law 93-166, as amended, is amended by striking out in clause (2) of section 602 "\$549,849,000" and "\$608,682,000" and inserting in place thereof "\$560,849,000" and "\$619,682,000", respectively.

SEC. 501.

(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 section, if he, or his designee, determines such action to be in the best interest of the United States; but any family housing units acquired under authority of this subsection shall not exceed the cost limitations specified in this sec-

in section 502 of this Act or 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.

SEC. 502. (a) Authorizations for the construction of family housing provided in section 501 of this Act shall be subject, under such regulations as the Secretary of Defense may prescribe, to the limitations on cost prescribed in subsections (b) and (c), which shall include shades, screens, ranges, refrigerators, and all other installed equipment and fixtures, the cost of the family unit, design, supervision, inspection, overhead, the proportionate costs of land acquisition, site preparation, and installation of utilities.

(b) The average unit cost for all units of family housing constructed in the United States (other than Alaska and Hawaii) shall not exceed \$35,000 and in no event shall the cost of any unit exceed \$51,000.

(c) When family housing units are constructed in areas other than those areas specified in subsection (b), the average cost of all such units shall not exceed \$45,000, and in no event shall the cost of any unit exceed \$51,000.

(d) Notwithstanding the limitations contained in prior Military Construction Authorization Acts on cost of construction of family housing, the limitations on such cost contained in this section shall apply to all prior authorizations for construction of family housing not heretofore

tion 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.

(d) Any amount 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 the request for such amount 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.

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repealed and for which construction contracts have not been executed prior to the date of enactment of this Act.

Act of July 15, 1955 (69 Stat. 368, Public Law 84-161) as amended.

SEC. 515. The Secretaries of the Army, Navy, and Air Force, respectively, 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, or (2) the permanent military strength is to be substantially reduced in the near future, or (3) the number of military personnel assigned is so small as to make the construction of family housing uneconomical, or (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. Such housing facilities may be leased on an individual unit basis and not more than ten thousand such units may be so leased at any one time. Expenditures for the rental of such housing facilities, including the cost of utilities and maintenance and operation, may not exceed: For the United States (other than Alaska, Hawaii, and Guam) and Puerto Rico, an average of \$245 per month for each military department,

SEC. 503. (a) Section 515 of Public Law 84-161 (69 Stat. 324, 352), as amended, is further amended by revising the third sentence to read as follows: "Expenditures for the rental of such housing facilities, including the cost of utilities and maintenance and operation, may not exceed: For the United States (other than Alaska, Hawaii, and Guam) and Puerto Rico, an average of \$265 per month for each military department, or the amount of \$450 per month for any one unit; and for Alaska, Hawaii, and Guam, an average of \$335 per month for each military department, or the amount of \$450 per month for any one unit."

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or the amount of \$325 per month for any one unit; and for Alaska, Hawaii, and Guam, an average of \$310 per month for each military department, or the amount of \$385 per month for any one unit.

Act of Nov. 29, 1973 (87 Stat. 661, Public Law 93-166) as amended.

SEC. 507(b). The Average unit rental for Department of Defense family housing acquired by lease in foreign countries may not exceed \$380 per month for the Department and in no event shall the rental for any one unit exceed \$670 per month, including the costs of operation, maintenance, and utilities; and not more than fifteen thousand family housing units may be so leased at any one time. The Secretary of Defense, or his designee, may waive these cost limitations for not more than three hundred units leased for: incumbents of special positions, personnel assigned to Defense Attache Offices, or in countries where excessive costs of housing would cause undue hardship on Department of Defense personnel.

Act of October 7, 1975 (89 Stat. 546, Public Law 94-107).

SEC. 605

(b) Notwithstanding the repeal provisions of section 605 of the Act of December 27, 1974, Public Law 93-552 (88 Stat. 1745, 1761), authorizations for the following items shall remain in effect until January 1, 1978:

(A) Barracks with mess construction in the amount of \$535,000 at Camp A. P. Hill, Virginia, that is con-

tained in title I, section 101 of the Act of November 29, 1973 (87 Stat. 661), as amended.

(B) Barracks with mess construction in the amount of \$476,000 at Camp Pickett, Virginia, that is contained in title I, section 101 of the Act of November 29, 1973 (87 Stat. 664), as amended.

(C) Military Police barracks with support facilities construction in the amount of \$1,831,000 and confinement facility construction in the amount of \$6,287,000 at Fort Leonard Wood, Missouri, that is contained in title I, section 101 of the Act of November 29, 1973 (87 Stat. 664), as amended.

(D) Barracks complex construction in the amount of \$8,622,000 at Fort Ord, California, that is contained in title I, section 101 of the Act of November 29, 1973 (87 Stat. 662), as amended.

(E) Barracks construction in the amount of \$2,965,000 at Aberdeen Proving Ground, Maryland, that is contained in title I, section 101 of the Act of November 29, 1973 (87 Stat. 662), as amended.

(F) Barracks with mess construction in the amount of \$466,000 at Natick Laboratories, Massachusetts, that is contained in title I, section 101 of the Act of November 29, 1973 (87 Stat. 662), as amended.

(G) Barracks without mess construction in the amount of \$3,060,000 at Fort Greely, Alaska, that is contained in title I, section 101 of the Act of November 29, 1973 (87 Stat. 662), as amended.

(H) Relocate weapons ranges from Culebra Complex in the amount of \$12,000,000 for the Atlantic Fleet Weapons Range, Roosevelt Roads, Puerto Rico,

SEC. 503(b). Section 507(b) of Public Law 93-166 (87 Stat. 661, 676) is amended by striking out "\$380" and "\$670" in the first sentence, and inserting in lieu thereof "\$405" and "\$700", respectively.

SEC. 605

(b) Notwithstanding the repeal provisions of section 605 of the Act of October 7, 1975, Public Law 94-107 (89 Stat. 546, 565), authorizations for the following items shall remain in effect until January 1, 1979:

(1) Defense Satellite Communications System construction in the amount of \$1,054,000 at Stuttgart,

Germany, authorized in section 101 of the Act of December 27, 1974 (88 Stat. 1747), as amended.

(2) Cold storage warehouse construction in the amount of \$1,215,000 at Fort Dix, New Jersey, authorized in section 101 of the Act of October 25, 1972 (86 Stat. 1135), as amended and extended in section 605

(3) (B) of the Act of December 27, 1974 (88 Stat. 1762), as amended.

that is contained in title II, section 204 of the Act of November 29, 1973 (87 Stat. 668), as amended.

(I) Authorization for acquisition of lands in support of the Air Installation Compatible Use Zones at Various Locations not limited to those in the original project in the amount of \$12,000,000 that is contained in title III, section 301 of the Act of October 25, 1972 (86 Stat. 1145), as amended by section 605(3)(K) of the Act of December 27, 1974 (88 Stat. 1762), as amended.

(J) Authorization for acquisition of lands in support of the Air Installation Compatible Use Zones at Various Locations not limited to those identified in the original project in the amount of \$18,000,000 that is contained in title III, section 301 of the Act of November 29, 1973 (87 Stat. 671), as amended.

(3) Land acquisition, Murphy Canyon in the amount of \$3,843,000 at Naval Regional Medical Center, San Diego, California, authorized in section 201 of the Act of December 27, 1974 (88 Stat. 1750), as amended.

(4) Land acquisition in the amount of \$800,000 at Naval Security Group Activity, Sabana Seca, Puerto Rico, authorized in section 201 of the Act of December 27, 1974 (88 Stat. 1750), as amended.

Act of October 7, 1975 (89 Stat. 546, Public Law 94-107).

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 projects inside the United States in

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 fol-

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) \$35 per square foot for permanent barracks;

(2) \$37 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 contained 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.

lowing unit cost limitations where the area construction index is 1.0:

(1) \$39.00 per square foot for permanent barracks;

(2) \$42.00 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 contained 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.

TITLE 10, UNITED STATES CODE

2662. Real property transactions: Reports to the Armed Services Committees

(a) The Secretary of a military department, or his designee, may not enter into any of the following listed transactions by or for the use of that department until after the expiration of 30 days from the date upon which a report of the facts concerning the proposed transaction is submitted to the Committees on Armed Services of the Senate and House of Representatives:

(1) An acquisition of fee title to any real property, if the estimated price is more than \$50,000.

(2) A lease of any real property to the United

SEC. 613. Section 2662(a) of title 10, United States Code, is amended by adding at the end thereof a new sentence as follows: "The report required by this subsection to be submitted to the Committees on Armed Services of the Senate and House of Representatives concerning any report of excess real property described in clause (5) shall contain a certification by the Secretary concerned that he has considered the feasibility of exchanging such property for other real property authorized to be acquired for military purposes and has determined that the prop-

EXISTING LAW

States, if the estimated annual rental is more than \$50,000.

(3) A lease or license of real property owned by the United States, if the estimated annual fair market rental value of the property is more than \$50,000.

(4) A transfer of real property owned by the United States to another Federal agency or another military department or to a State, if the estimated value is more than \$50,000.

(5) A report of excess real property owned by the United States to a disposal agency, if the estimated value is more than \$50,000.

THE BILL

erty proposed to be declared excess is not suitable for such purpose."

DISSENTING VIEWS OF REP. PATRICIA SCHROEDER TO HOUSE ARMED SERVICES COMMITTEE REPORT ON H.R. 12384

I oppose the committee's passage of H.R. 12384 for one basic reason: The deletion of Section 612 from the bill, providing for a 12-month period for review and justification of proposed base closures or reduction in staff at military installations, completely rejects a mandate from the House of Representatives to continue supporting the provision.

Section 612 was first included in H.R. 12384 when, during floor debate on May 7 the House accepted the O'Neill amendment—requiring that a 12-month period lapse before planned base closures and personnel reductions (reducing by at least 50 percent the overall personnel level at an installation) could go into effect. During that time period the Administration was to be required to provide detailed justification for the proposed reductions as well as projections of the likely impact upon communities of such changes.

Section 612 was later accepted by the House-Senate conference on the bill, passed by both Houses and sent to the President for signature. However, on July 2 the President labelled the provision "highly objectionable" and vetoed the bill.

The substantial House support for the provision was further demonstrated when, on July 22, the House voted—270 to 131—to override the Presidential veto of the bill. The override attempt failed, however, when the Senate failed to vote similarly.

The message of the House should be clear: The military construction authorization bill for the 1977 fiscal year should include a provision preventing the immediate closing or reductions in staff at military installations before there has been adequate time to review the Administration's proposals. However, the Armed Services Committee has chosen to ignore the mandate.

I am further unable to accept the committee position that the interest of House Members in this issue will be satisfied by committee plans to review the base closure and reduction issue during hearings on the Military Construction bill for the 1978 fiscal year. Since the fiscal year 1978 bill will not be taken up until January 1977 at the earliest, such a timetable would preclude the 94th Congress from any further discussion of the issue, a proposal incompatible with the significant House interest in the subject.

I must also point out that the Committee's deletion of section 612 breaks from our standard procedure when considering proposals that have already been voted on by the full House. Only recently House conferees appointed from this committee to participate in conference discussions of H.R. 12438, the fiscal year 1977 Defense Authorization bill, were adamant in their support of the principle that a House position—once confirmed by a floor vote—cannot be thrown out.

One case in point was the House conferees' refusal to consider acceptance of any version of the Senate-passed provision delaying funding for B-1 bomber procurement until February 1977. This principle was further invoked as explanation for the House's receding on additional provisions in the House bill which had been subject only to a vote of support in committee.

In this light, the decision to reject this principle now—by Members who have heretofore steadfastly invoked it—is both surprising and disappointing.

PAT SCHROEDER.



MILITARY CONSTRUCTION AUTHORIZATION, FISCAL YEAR 1977

SEPTEMBER 13, 1976.—Ordered to be printed

Mr. JACKSON (for Mr. SYMINGTON), from the Committee on
Armed Services, submitted the following

REPORT

[To accompany H.R. 14846]

The Committee on Armed Services, to which was referred the bill (H.R. 14846) having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

COMMITTEE AMENDMENTS

1. On page 42, between lines 7 and 8, insert the following:

BASE REALIGNMENTS

SEC. 612. (a) Notwithstanding any other provision of law, no funds authorized to be appropriated in this Act may be used to effect or implement—

- (1) the closure of any military installation;
- (2) any reduction in the authorized level of civilian personnel at any military installation by more than one thousand civilian personnel or 50 per centum of the level of such personnel authorized as of March 1, 1976, or the end of the fiscal year immediately preceding the fiscal year in which the Secretary of Defense or the Secretary of the military department concerned notifies the Congress that such installation is a candidate for closure or significant reduction, whichever occurs later; or
- (3) any construction, conversion, or rehabilitation at any other military installation (whether or not such installation is a military installation as defined in sub-

section (b)) which will or may be required as a result of the relocation of civilian personnel to such other installation by reason of any closure or reduction to which this section applies;

unless—

(A) the Secretary of Defense or the Secretary of the military department concerned notifies the Congress in writing that such military installation is a candidate for closure or significant reduction; and then

(B) the Secretary of Defense or the Secretary of the military department concerned complies with all terms, conditions and requirements of the National Environmental Policy Act; and then

(C) the Secretary of Defense or the Secretary of the military department concerned submits to the Committees on Armed Services of the House of Representatives and the Senate his final decision to close or significantly reduce such installation and a detailed justification for his decision, together with the estimated fiscal, local economic, budgetary, environmental, strategic, and operational consequences of the proposed closure or reduction; and then

(D) a period of at least sixty days expires following the date on which the justification referred to in clause (C) has been submitted to such committees, during which period the Secretary of Defense or the Secretary of the military department concerned may take no irrevocable action to implement the decision.

(b) For purposes of this section, the term "military installation" means any camp, post, station, base, yard, or other facility under the authority of the Department of Defense—

(1) which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or Guam; and

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

(c) For purposes of this section, the term "civilian personnel" means direct-hire permanent civilian employees of the Department of Defense.

(d) This section shall not apply to any closure or reduction if the President certifies to Congress that such closure or reduction must be implemented for reasons of any military emergency or national security or if such closure or reduction was publicly announced prior to January 1, 1976.

2. On page 42, line 9, strike out "Sec. 612" and insert in lieu thereof "Sec. 613".

3. On page 42, line 17, strike out "Sec. 613" and insert in lieu thereof "Sec. 614".

4. On page 43, line 4, strike out "Sec. 614" and insert in lieu thereof "Sec. 615".

PURPOSE OF THE BILL

The purpose of this bill is to provide construction and other related authority for the military departments, and the Office of the Secretary of Defense, within and outside the United States, and in Title VII authority for construction of facilities for the Reserve components, in the total amount of \$3,323,989,000.

FORM OF COMMITTEE ACTION

The bill under consideration by the Committee was H.R. 14846 as passed by the House. This bill, with one exception, is identical to H.R. 12384 which was vetoed by the President on July 2, 1976. The difference between H.R. 12384 as previously approved by the Congress and H.R. 14846 as passed by the House is that Section 612 pertaining to base realignments has been omitted from H.R. 14846. The Committee considered only the issue of base realignments, the sole reason given by the President for vetoing H.R. 12384, which made it desirable to report H.R. 14846 with amendments.

SUMMARY OF AUTHORIZATIONS

The following table summarizes authorizations granted:

<i>Total authorization granted, fiscal year 1977</i>		<i>In thousands</i>
Title I (Army) :		
Inside the United States.....		\$419, 837
Outside the United States.....		164, 661
Subtotal		584, 498
Title II (Navy) :		
Inside the United States.....		481, 580
Outside the United States.....		19, 356
Subtotal		500, 936
Title III (Air Force) :		
Inside the United States.....		679, 759
Outside the United States.....		56, 650
Subtotal		736, 409
Title IV (Defense agencies).....		
		32, 946
Title V (military family housing).....		
		1, 304, 523
Title VII (Reserve Forces facilities) :		
Army National Guard.....		54, 745
Army Reserve.....		44, 459
Naval and Marine Corps Reserve.....		21, 800
Air National Guard.....		33, 900
Air Force Reserve.....		9, 773
Subtotal		164, 677
Total granted by titles I, II, III, IV, V, and VII.....		
		3, 323, 989

BACKGROUND

The bill H.R. 14846 is similar in most respects to H.R. 12384 which was sent to the President for signature on June 22, 1976. The House Armed Services Committee reported H.R. 12384 on March 25, 1976 (Report No. 94-964) and the full House passed the bill on May 7, 1976. The Senate Armed Services committee reported the companion bill, S. 3434, on May 13, 1976 (Report No. 94-856) and the full Senate passed the bill on May 20, 1976, amending H.R. 12384 by substituting the text of S. 3434. The Committee on Conference reported the final bill on June 9, 1976 (Report No. 94-937) which was agreed to by the House and the Senate.

On July 2, 1976, the President vetoed the bill and his veto message follows:

THE WHITE HOUSE,
July 2, 1976.

TO THE HOUSE OF REPRESENTATIVES:

I am returning herewith without my approval H.R. 12384, a bill "To authorize certain construction at military installations and for other purposes."

I regret that I must take this action because the bill is generally acceptable, providing a comprehensive construction program for fiscal year 1977 keyed to recognized military requirements. One provision, however, is highly objectionable, thus precluding my approval of the measure.

Section 612 of the bill would prohibit certain base closures or the reduction of civilian personnel at certain installations unless the proposed action is reported to Congress and a period of nine months elapses during which time the military department concerned would be required to identify the full range of environmental impacts of the proposed action, as required by the National Environmental Policy Act (NEPA). Subsequently, the final decision to close or significantly reduce an installation covered under the bill would have to be reported to the Armed Services Committees of the Congress together with a detailed justification for such decision. No action could be taken to implement the decision until the expiration of at least ninety days following submission of the detailed justification to the appropriate committees. The bill provides a limited Presidential waiver of the requirements of section 612 for reasons of military emergency or national security.

This provision is also unacceptable from the standpoint of sound Government policy. It would substitute an arbitrary time limit and set of requirements for the current procedures whereby base closures and reductions are effected, procedures which include compliance with NEPA and adequately take into account all other relevant considerations, and afford extensive opportunity for public and congressional involvement. By imposing unnecessary delays in base closures and reductions the bill's requirements would generate a budgetary drain on the defense dollar which should be used to strengthen our military capabilities.

Moreover, section 612 raises serious questions by its attempt to limit my powers over military bases. The President must be able, if the need arises, to change or reduce the mission at any military installation if and when that becomes necessary.

The Department of Defense has undertaken over 2,700 actions to reduce, realign, and close military installations and activities since 1969. These actions have enabled us to sustain the combat capability of our armed forces while reducing annual Defense costs by more than \$4 billion. For realignment proposals already announced for study, section 612 could increase fiscal year 1978 budgetary requirements for defense by \$150 million and require retention, at least through fiscal year 1977, of approximately 11,300 military and civilian personnel positions not needed for essential base activities.

The nation's taxpayers rightly expect the most defense possible for their tax dollars. I am certain Congress does not intend unnecessary or arbitrary increases in the tax burden of the American people. Numerous congressional reports on national defense demonstrate the desire by the Congress to trim unnecessary defense spending and personnel. I cannot approve legislation that would result in waste and inefficiency at the expense of meeting our essential military requirements.

GERALD R. FORD.

On July 22, 1976, the House voted successfully to override the veto, 270-131. However, by a vote of 51-42 on the same date the veto was sustained by the Senate.

The House Armed Services Committee reported a new bill, H.R. 14846, on July 27, 1976 (Report No. 94-1371), which was identical to H.R. 12384 as vetoed by the President except that Section 612 relating to base realignments was omitted. The House passed the bill without amendment on August 24, 1976.

COMMITTEE ACTION

The Committee considered only the question of base realignments, since that was the only reason given by the President for returning the legislation.

A revised base realignment provision, Amendment No. 2219, offered by several Senators, was sent to the Department of Defense for comment. The Secretary of Defense responded that he was strongly opposed to that specific amendment or any similar provision. The amendment and the exchange of correspondence follows:

AMENDMENTS Intended to be proposed by Mr. Muskie (for himself, Mr. Hathaway, Mr. McGovern, Mr. Allen, Mr. McIntyre, Mr. Durkin, Mr. Case, Mr. Sparkman, Mr. Eagleton, Mr. Williams, and Mr. Kennedy), to H.R. 14846, an Act to authorize certain construction at military installations, and for other purposes, viz:

At the appropriate place insert the following:

SEC. 612. (a) Notwithstanding any other provision of law, no action may be taken prior to October 1, 1981, to effect or implement--

- (1) the closure of any military installation;

(2) any reduction in the authorized level of civilian personnel at any military installation by more than one thousand civilian personnel or 50 per centum of the level of such personnel authorized as of March 1, 1976, or the end of the fiscal year immediately preceding the fiscal year in which the Secretary of Defense or the Secretary of the military department concerned notifies the Congress that such installation is a candidate for closure or significant reduction, whichever occurs later; or

(3) any construction, conversion, or rehabilitation at any other military installation (whether or not such installation is a military installation as defined in subsection (b)) which will or may be required as a result of the relocation of civilian personnel to such other installation by reason of any closure or reduction to which this section applies;

unless—

(A) the Secretary of Defense or the Secretary of the military department concerned notifies the Congress in writing that such military installation is a candidate for closure or significant reduction; and then

(B) the Secretary of Defense or the Secretary of the military department concerned complies with all terms, conditions and requirements of the National Environmental Policy Act; and then

(C) the Secretary of Defense or the Secretary of the military department concerned submits to the Committees on Armed Services of the House of Representatives and the Senate his final decision to close or significantly reduce such installation and a detailed justification for his decision, together with the estimated fiscal, local economic, budgetary, environmental, strategic, and operational consequences of the proposed closure or reduction; and then

(D) a period of at least ninety days expires following the date on which the justification referred to in clause (C) has been submitted to such committees, during which period the Secretary of Defense or the Secretary of the military department concerned may take no irrevocable action to implement the decision.

(b) (1) Upon announcement that any military installation is a candidate for closure or reduction as provided in subsection (a) (A) of this section, the Office of Economic Adjustment of the Department of Defense shall immediately begin consultation with the President's Economic Adjustment Committee and with other appropriate Federal agencies to determine what Federal programs may be available to assist communities that may be adversely affected by the proposed closure or reduction and to develop preliminary recommendations for—

(A) alternative productive uses of facilities which may become surplus to the needs of the Department of Defense if the military installation is closed or its operations are significantly curtailed; and

(B) alternative employment opportunities to replace those that will be lost if such installation is closed or its operations are significantly curtailed.

Such recommendations shall include proposed specific action which should be taken by agencies of the Federal Government to assist in

avoiding economic hardship, and shall be submitted to the Committee on Armed Services of the House of Representatives and the Senate together with the justification required under subsection (a) (C) of this section.

(2) As soon as practical after any announcement is made under subsection (a) (A) of this section regarding closure or reduction, the Office of Economic Adjustment of the Department of Defense shall begin consultation with appropriate State and local officials, provide expert and technical assistance to such officials in the development and implementation of economic adjustment plans, and coordinate such plans with other Federal agencies.

(c) For purposes of this section, the term "military installation" means any camp, post, station, base, yard, or other facility under the authority of the Department of Defense—

(1) which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or Guam; and

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

(d) For purposes of this section, the term "civilian personnel" means direct-hire permanent civilian employees of the Department of Defense.

(e) This section shall not apply to any closure or reduction if the President certifies to Congress that such closure or reduction was publicly announced prior to January 1, 1976.

On page 42, line 9, strike out "Sec. 612" and insert in lieu thereof "Sec. 613".

On page 42, line 17, strike out "Sec. 613" and insert in lieu thereof "Sec. 614".

On page 43, line 4, strike out "Sec. 614" and insert in lieu thereof "Sec. 615".

AUGUST 24, 1976.

HON. DONALD RUMSFELD,
Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: I am deeply concerned that the current controversy surrounding the military construction authorization bill for Fiscal Year 1977 might preclude the passage of a bill for Fiscal Year 1977. I refer, of course, to the issue of base realignments.

The Senate Armed Services Committee will consider the House passed bill and I would like for the Committee to have the Department of Defense's position on this issue.

Time frames are extremely tight, but I would ask that you respond to the following questions as soon as possible but not later than August 26, 1976:

1. Your office has previously been provided a copy of the proposed revision to the vetoed base realignment section and a copy is attached. Is this acceptable to the Department of Defense? If not, why not?

2. If the attached provision is not acceptable, are there modifications that would make it acceptable?

Thanking you for your cooperation in advance, I am,

Sincerely,

JOHN C. STENNIS.

THE SECRETARY OF DEFENSE,
Washington, D.C., August 26, 1976.

HON. JOHN C. STENNIS,
Chairman, Committee on Armed Services,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your letter of August 24, 1976 regarding the position of the Department of Defense on the proposed revision to the amendment on base realignments contained in the vetoed FY 1977 Military Construction Authorization Bill.

The Department shares your concern about the possibility of further delay in the enactment of the Military Construction Authorization Bill. We consider the bill, without the Section 612 constraints, to be essential legislation. In this regard we are pleased that the House of Representatives has already passed its bill without the Section 612 provisions.

We have reviewed the proposed revised base realignment amendment and find it to be unacceptable. It raises the same serious questions as the vetoed section concerning the attempt to limit the powers of the President regarding the management of military bases.

First, the revision contains many of the provisions which were opposed by the Department and the President, such as the mandatory ninety-day delay before implementation. Such delays waste Defense resources that could otherwise be used to improve military capabilities and readiness. For example, a ninety-day delay in the base realignment actions announced for study earlier this year would cost the Department approximately \$35-40 million.

Second, the proposed revised amendment adds an entirely new dimension to the problem in that it contains provisions which would institutionalize and expand the Department's efforts in the economic recovery area. Regardless of the merits of these efforts, we believe that institutionalization of these efforts in law is unnecessary and undesirable. The Executive has, for over 15 years, made a clear and unequivocal commitment of available Federal resources and assistance to community recovery efforts once a base realignment decision has been made. Economic recovery of the affected communities must not become a pre-condition to the commitment of Defense resources for the protection of the National Security, nor should it become a trade-off or inducement for Congressional or community approval of DoD realignments.

In summary, Mr. Chairman, I must advise that the Department is strongly opposed to any such base realignment amendment. We consider that the current procedures of informing the Congress and local communities of base realignment candidates and providing to interested parties associated studies and documents provide ample opportunity for review of base realignment actions. In addition, we believe that the provisions of Section 613, PL 89-658 provide the Congress with the legislation needed to enable it to perform its oversight responsibility in the base realignment area.

I urge that the Senate reject the proposed revised base realignment amendment and solicit your support of the Department's position.

Sincerely,

DONALD RUMSFELD.

Despite the position taken by the Defense Department, the Committee remains convinced that codification of base realignment procedures is necessary and can only serve to improve the management of the Defense Department in this area. The Committee elected to adopt a revised base realignment provision that is similar to Amendment 2219, except—

1. The provision is applicable for one year instead of five years. The Committee fully expects to examine this entire issue in great depth during future hearings.

2. The provision requires the Department of Defense to withhold action on any decision regarding base realignments for sixty days after the decision is announced rather than ninety days. This period of time is reserved to enable Congress to remedy any base realignment decision that is unwarranted. The period must be long enough so that Congress can act (present law prescribes a thirty-day waiting period for base closures only) yet not so long as to unnecessarily delay actions that are justified and will result in savings.

3. The provision eliminates subsection (b) of Amendment 2219 pertaining to economic adjustment planning. The Committee elected to omit this subsection, not because there was objection to the concepts embodied in the subsection, but because there was concern that the language as written might arbitrarily expand a Defense Department agency to undertake a role that more properly should be undertaken by another Executive Agency with access to and control over all Executive Departments which should play a part in economic adjustment planning. The entire issue of economic adjustment planning requires in-depth study and hearings to develop legislation that properly sets out the Federal responsibility with regard to alternative uses of facilities and the retraining of the work force affected by major Department of Defense realignment actions.

COMMITTEE POSITION REGARDING BASE REALIGNMENTS

The Committee is concerned that the legislative history be absolutely clear regarding base realignments. There are certain basic tenets regarding base realignments that must prevail for base realignments to be effected in the best interests of the nation.

First, decisions on base realignments are the prerogative of the Chief Executive.

Second, the Congress has the responsibility to review base realignment decisions just as it reviews any Executive Branch program that affects expenditures of funds and impacts on people's lives.

Third, the decision to close or reduce a military installation must be based on military necessity with due regard for environmental impact. Military bases cannot be maintained to support other than national defense requirements.

Fourth, the entire Executive Branch, not just the Defense Department, has the ultimate responsibility to mitigate the impact of base realignments to the extent possible. This includes advance economic planning in coordination with local officials that begins early in the study cycle as well as assistance during the transition period. Decisions regarding base realignments should be not only adequately justified,

but also accompanied by proposals for economic adjustment. The Committee is of the opinion that present procedures within the Executive Branch are inadequate to effectively mitigate the social and economic impact of base realignments. The Department of Defense has no authority to require other Executive Agencies and Departments to commit resources to mitigate base realignment impacts. The President should examine this situation and establish or designate a single agency with authority and responsibility to insure optimum impact assistance and to develop alternative uses for excess facilities involving all appropriate Executive Agencies and Departments.

○

Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the nineteenth day of January,
one thousand nine hundred and seventy-six*

An Act

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

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, \$33,293,000.
Fort Campbell, Kentucky, \$65,387,000.
Fort Carson, Colorado, \$10,589,000.
Fort Drum, New York, \$7,114,000.
Fort Greely, Alaska, \$2,854,000.
Fort Hood, Texas, \$20,033,000.
Fort Lewis, Washington, \$2,114,000.
Fort George G. Meade, Maryland, \$1,142,000.
Fort Ord, California, \$14,453,000.
Fort Polk, Louisiana, \$47,613,000.
Fort Riley, Kansas, \$5,694,000.
Fort Stewart/Hunter Army Air Field, Georgia, \$39,634,000.
Fort Wainwright, Alaska, \$17,163,000.

UNITED STATES ARMY TRAINING AND DOCTRINE COMMAND

Fort Belvoir, Virginia, \$6,052,000.
Fort Benning, Georgia, \$10,394,000.
Fort Bliss, Texas, \$3,856,000.
Fort Eustis, Virginia, \$3,016,000.
Fort Gordon, Georgia, \$2,224,000.
Fort Benjamin Harrison, Indiana, \$987,000.
Fort Knox, Kentucky, \$10,379,000.
Fort Leavenworth, Kansas, \$190,000.
Fort Lee, Virginia, \$1,115,000.
Fort Rucker, Alabama, \$1,841,000.
Fort Sill, Oklahoma, \$1,181,000.
Fort Leonard Wood, Missouri, \$15,249,000.

UNITED STATES ARMY MILITARY DISTRICT OF WASHINGTON

Fort McNair, District of Columbia, \$722,000.

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UNITED STATES ARMY MATERIEL COMMAND

Aberdeen Proving Ground, Maryland, \$726,000.
Detroit Arsenal, Michigan, \$340,000.
Kansas Army Ammunition Plant, Kansas, \$493,000.
Letterkenny Army Depot, Pennsylvania, \$8,357,000.
Fort Monmouth, New Jersey, \$495,000.
Natick Laboratories, Massachusetts, \$118,000.
Picatinny Arsenal, New Jersey, \$560,000.
Pine Bluff Arsenal, Arkansas, \$6,934,000.
Pueblo Army Depot, Colorado, \$417,000.
Radford Army Ammunition Plant, Virginia, \$25,663,000.
Redstone Arsenal, Alabama, \$1,126,000.
Scranton Army Ammunition Plant, Pennsylvania, \$162,000.
Seneca Army Depot, New York, \$421,000.
Sharpe Army Depot, California, \$551,000.
Sierra Army Depot, California, \$1,489,000.
Tooele Army Depot, Utah, \$2,572,000.
USA Fuel Lubrication Research Laboratory, Texas, \$469,000.
Watervliet Arsenal, New York, \$3,383,000.
White Sands Missile Range, New Mexico, \$349,000.
Woodbridge Research Facility, Virginia, \$2,130,000.
Yuma Proving Ground, Arizona, \$6,978,000.

AMMUNITION FACILITIES

Holston Army Ammunition Plant, Tennessee, \$1,118,000.
Indiana Army Ammunition Plant, Indiana, \$6,758,000.
Lone Star Army Ammunition Plant, Texas, \$116,000.
Longhorn Army Ammunition Plant, Texas, \$86,000.
Milan Army Ammunition Plant, Tennessee, \$512,000.
Radford Army Ammunition Plant, Virginia, \$387,000.
Sunflower Army Ammunition Plant, Kansas, \$15,238,000.
Volunteer Army Ammunition Plant, Tennessee, \$285,000.

UNITED STATES MILITARY ACADEMY

United States Military Academy, West Point, New York, \$2,857,000.

UNITED STATES ARMY HEALTH SERVICES COMMAND

Fitzsimmons Army Medical Center, Colorado, \$244,000.
Walter Reed Army Medical Center, District of Columbia,
\$1,108,000.

UNITED STATES ARMY MILITARY TRAFFIC COMMAND

Sunny Point Army Terminal, North Carolina, \$531,000.

NUCLEAR WEAPONS SECURITY

Various locations, \$2,575,000.

OUTSIDE THE UNITED STATES

EIGHTH UNITED STATES ARMY, KOREA

Various locations, \$13,669,000.

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UNITED STATES ARMY, JAPAN

Okinawa, \$124,000.

UNITED STATES ARMY SECURITY AGENCY

Various locations, \$4,480,000.

UNITED STATES ARMY, EUROPE

Germany, various locations, \$15,907,000.

Italy, various locations, \$1,088,000.

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, \$80,000,000. 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.

NUCLEAR WEAPONS SECURITY

Various locations, \$49,393,000.

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 \$10,000,000. The Secretary of the Army, 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 1978 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.

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,

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utilities, and equipment, for the following acquisition and construction:

INSIDE THE UNITED STATES

TRIDENT FACILITIES

Various locations, \$92,278,000.

MARINE CORPS

Marine Corps Supply Center, Albany, Georgia, \$1,965,000.
Marine Corps Base, Camp Lejeune, North Carolina, \$22,001,000.
Marine Corps Base, Camp Pendleton, California, \$12,720,000.
Marine Corps Air Station, Cherry Point, North Carolina, \$526,000.
Marine Corps Air Station, Kaneohe Bay, Hawaii, \$1,900,000.
Fleet Marine Force Atlantic, Norfolk, Virginia, \$799,000.
Headquarters, Fleet Marine Force Pacific, Camp Smith, Oahu, Hawaii, \$1,046,000.
Marine Corps Recruit Depot, Paris Island, South Carolina, \$4,499,000.
Marine Corps Development and Education Command, Quantico, Virginia, \$532,000.
Marine Corps Air Station, Yuma, Arizona, \$940,000.

CHIEF OF NAVAL OPERATIONS

Naval Support Activity, Brooklyn, New York, \$491,000.
Naval Support Activity, New Orleans, Louisiana, \$1,400,000.
Commander in Chief Pacific, Pearl Harbor, Hawaii, \$4,300,000.
Naval Support Activity, Philadelphia, Pennsylvania, \$201,000.
Naval Support Activity, Seattle, Washington, \$667,000.
Headquarters Naval District Washington, Washington, District of Columbia, \$1,300,000.

COMMANDER IN CHIEF, ATLANTIC FLEET

Naval Air Station, Cecil Field, Florida, \$272,000.
Oceanographic System Atlantic, Dam Neck, Virginia, \$8,048,000.
Naval Air Station, Jacksonville, Florida, \$6,101,000.
Naval Station, Mayport, Florida, \$1,674,000.
Naval Submarine Base, New London, Connecticut, \$300,000.
Flag Administrative Unit, Atlantic, Norfolk, Virginia, \$223,000.
Naval Station, Norfolk, Virginia, \$24,246,000.
Naval Air Station, Oceana, Virginia, \$14,457,000.

COMMANDER IN CHIEF, PACIFIC FLEET

Naval Station, Adak, Alaska, \$1,418,000.
Naval Air Station, Barbers Point, Hawaii, \$12,836,000.
Naval Air Station, Fallon, Nevada, \$2,376,000.
Naval Air Station, Miramar, California, \$4,958,000.
Naval Air Station, Moffett Field, California, \$896,000.
Naval Air Station, North Island, California, \$11,720,000.
Naval Station, Pearl Harbor, Hawaii, \$4,051,000.
Naval Submarine Base, Pearl Harbor, Hawaii, \$975,000.
Naval Facility, Point Sur, California, \$160,000.
Naval Station, San Diego, California, \$8,386,000.
Naval Air Station, Whidbey Island, Washington, \$1,055,000.

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NAVAL EDUCATION AND TRAINING

Naval Academy, Annapolis, Maryland, \$1,639,000.
 Naval Supply Corps School, Athens, Georgia, \$670,000.
 Navy Fleet Ballistic Missile Submarine Training Center, Charleston, South Carolina, \$2,504,000.
 Naval Air Station, Memphis, Tennessee, \$1,871,000.
 Naval Submarine School, New London, Connecticut, \$672,000.
 Naval Education and Training Center, Newport, Rhode Island, \$490,000.
 Naval School of Diving and Salvage, Panama City, Florida, \$10,800,000.
 Naval Air Station, Pensacola, Florida, \$1,546,000.
 Naval Technical Training Center, Corry Station, Pensacola, Florida, \$900,000.
 Naval Submarine Training Center, San Diego, California, \$3,520,000.
 Naval Training Center, San Diego, California, \$5,455,000.
 Naval Air Station, Whiting Field, Florida, \$1,208,000.

BUREAU OF MEDICINE AND SURGERY

Naval Regional Medical Center, Jacksonville, Florida, \$7,393,000.
 Portsmouth Naval Regional Medical Clinic, Kittery, Maine, \$4,058,000.
 Naval Regional Dental Center, Newport, Rhode Island, \$1,975,000.
 Naval Hospital, Orlando, Florida, \$23,850,000.
 Navy Environmental and Preventive Medicine Unit No. 6, Pearl Harbor, Hawaii, \$283,000.
 Naval Regional Dental Center, San Diego, California, \$2,501,000.
 Navy Environmental and Preventive Medicine Unit No. 5, San Diego, California, \$1,270,000.

CHIEF OF NAVAL MATERIAL

Naval Air Rework Facility, Alameda, California, \$1,191,000.
 Puget Sound Naval Shipyard, Bremerton, Washington, \$10,876,000.
 Charleston Naval Shipyard, Charleston, South Carolina, \$11,256,000.
 Naval Weapons Station, Charleston, South Carolina, \$8,796,000.
 Polaris Missile Facility, Atlantic, Charleston, South Carolina, \$2,315,000.
 Naval Weapons Center, China Lake, California, \$950,000.
 Naval Weapons Support Center, Crane, Indiana, \$988,000.
 Naval Weapons Station, Earle, New Jersey, \$2,835,000.
 National Parachute Test Range, El Centro, California, \$732,000.
 Naval Air Facility, El Centro, California, \$3,500,000.
 Naval Construction Battalion Center, Gulfport, Mississippi, \$4,551,000.
 Naval Ordnance Station, Indian Head, Maryland, \$383,000.
 Naval Torpedo Station, Keyport, Washington, \$2,145,000.
 Portsmouth Naval Shipyard, Kittery, Maine, \$12,789,000.
 Naval Air Station, Lakehurst, New Jersey, \$117,000.
 Long Beach Naval Shipyard, Long Beach, California, \$3,981,000.
 Navy Ships Parts Control Center, Mechanicsburg, Pennsylvania, \$135,000.
 Navy Public Works Center, Norfolk, Virginia, \$454,000.
 Naval Air Test Center, Patuxent River, Maryland, \$2,701,000.

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Pearl Harbor Naval Shipyard, Pearl Harbor, Hawaii, \$11,985,000.
 Naval Air Rework Facility, Pensacola, Florida, \$7,784,000.
 Navy Public Works Center, Pensacola, Florida, \$95,000.
 Navy Aviation Supply Office, Philadelphia, Pennsylvania, \$629,000.
 Philadelphia Naval Shipyard, Philadelphia, Pennsylvania,
 \$4,607,000.
 Pacific Missile Test Center, Point Mugu, California, \$3,087,000.
 Naval Construction Battalion Center, Port Hueneme, California,
 \$183,000.
 Norfolk Naval Shipyard, Portsmouth, Virginia, \$5,909,000.
 Naval Undersea Center, San Diego, California, \$811,000.
 Navy Public Works Center, San Francisco, California, \$190,000.
 Mare Island Naval Shipyard, Vallejo, California, \$9,302,000.

OCEANOGRAPHER OF THE NAVY

Naval Oceanographic Center, Bay Saint Louis, Mississippi,
 \$7,400,000.

NUCLEAR WEAPONS SECURITY

Various locations, \$34,581,000.

OUTSIDE THE UNITED STATES

COMMANDER IN CHIEF, ATLANTIC FLEET

Naval Station, Keflavik, Iceland, \$6,009,000.
 Naval Station, Roosevelt Roads, Puerto Rico, \$4,160,000.

COMMANDER IN CHIEF, PACIFIC FLEET

Naval Magazine, Guam, Mariana Islands, \$1,861,000.

NAVAL TELECOMMUNICATIONS COMMAND

Classified location, \$1,832,000.

NAVAL SECURITY GROUP COMMAND

Naval Security Group Activity, Keflavik, Iceland, \$3,000,000.

NUCLEAR WEAPONS SECURITY

Various locations, \$2,494,000.

EMERGENCY CONSTRUCTION

SEC. 202. 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,

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appurtenances, utilities, and equipment, in the total amount of \$10,000,000. 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 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 1978 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.

DEFICIENCY AUTHORIZATIONS

SEC. 203. Public Law 93-166, as amended, is amended by striking out in clause (2) of section 602 “\$549,849,000” and “608,682,000” and inserting in place thereof “\$560,849,000” and “\$619,682,000”, respectively.

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

Tyndall Air Force Base, Florida, \$1,720,000.

AIR FORCE LOGISTICS COMMAND

Hill Air Force Base, Utah, \$16,587,000.
Kelly Air Force Base, Texas, \$2,374,000.
McClellan Air Force Base, California, \$1,194,000.
Newark Air Force Station, Ohio, \$266,000.
Robins Air Force Base, Georgia, \$10,051,000.
Tinker Air Force Base, Oklahoma, \$5,348,000.
Wright-Patterson Air Force Base, Ohio, \$35,804,000.

AIR FORCE SYSTEMS COMMAND

Arnold Engineering Development Center, Tennessee, \$439,010,000.
Eglin Air Force Base, Florida, \$354,000.
Laurence G. Hanscom Air Force Base, Massachusetts, \$671,000.
Patrick Air Force Base, Florida, \$198,000.
Pillar Point Air Force Station, California, \$450,000.
Various locations, \$10,250,000.

AIR TRAINING COMMAND

Columbus Air Force Base, Mississippi, \$6,467,000.
Keesler Air Force Base, Mississippi, \$1,350,000.
Mather Air Force Base, California, \$3,883,000.
Randolph Air Force Base, Texas, \$4,927,000.
Reese Air Force Base, Texas, \$250,000.
Williams Air Force Base, Arizona, \$825,000.

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AIR UNIVERSITY

Maxwell Air Force Base, Alabama, \$123,000.

ALASKAN AIR COMMAND

Elmendorf Air Force Base, Alaska, \$210,000.
Shemya Air Force Base, Alaska, \$3,110,000.
Fort Yukon Air Force Station, Alaska, \$448,000.

HEADQUARTERS COMMAND

Andrews Air Force Base, Maryland, \$2,880,000.
Bolling Air Force Base, District of Columbia, \$1,415,000.

MILITARY AIRLIFT COMMAND

Altus Air Force Base, Oklahoma, \$11,377,000.
Charleston Air Force Base, South Carolina, \$1,468,000.
Dover Air Force Base, Delaware, \$900,000.
Little Rock Air Force Base, Arkansas, \$2,305,000.
McChord Air Force Base, Washington, \$286,000.
Norton Air Force Base, California, \$900,000.
Pope Air Force Base, North Carolina, \$200,000.
Scott Air Force Base, Illinois, \$90,000.

PACIFIC AIR FORCES

Hickam Air Force Base, Hawaii, \$4,145,000.

STRATEGIC AIR COMMAND

Barksdale Air Force Base, Louisiana, \$3,628,000.
Beale Air Force Base, California, \$7,825,000.
Blytheville Air Force Base, Arkansas, \$2,200,000.
Carswell Air Force Base, Texas, \$732,000.
Castle Air Force Base, California, \$1,270,000.
Davis-Monthan Air Force Base, Arizona, \$2,192,000.
Fairchild Air Force Base, Washington, \$100,000.
Grand Forks Air Force Base, North Dakota, \$2,441,000.
Griffiss Air Force Base, New York, \$699,000.
K. I. Sawyer Air Force Base, Michigan, \$270,000.
Malmstrom Air Force Base, Montana, \$3,150,000.
McConnell Air Force Base, Kansas, \$2,948,000.
Minot Air Force Base, North Dakota, \$980,000.
Offutt Air Force Base, Nebraska, \$38,060,000.
Plattsburgh Air Force Base, New York, \$588,000.
Rickenbacker Air Force Base, Ohio, \$704,000.
Vandenberg Air Force Base, California, \$1,454,000.
Whiteman Air Force Base, Missouri, \$133,000.
Wurtsmith Air Force Base, Michigan, \$1,607,000.

TACTICAL AIR COMMAND

England Air Force Base, Louisiana, \$198,000.
Holloman Air Force Base, New Mexico, \$500,000.
Luke Air Force Base, Arizona, \$987,000.
MacDill Air Force Base, Florida, \$1,022,000.
Moody Air Force Base, Georgia, \$5,796,000.

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Myrtle Beach Air Force Base, South Carolina, \$1,570,000.
Nellis Air Force Base, Nevada, \$245,000.
Seymour-Johnson Air Force Base, North Carolina, \$1,030,000.
East Coast Range, \$7,500,000.

UNITED STATES AIR FORCE ACADEMY

United States Air Force Academy, Colorado, \$354,000.

NUCLEAR WEAPONS SECURITY

Various locations, \$15,523,000.

AIR INSTALLATION COMPATIBLE USE ZONES

Various locations, \$2,217,000.

OUTSIDE THE UNITED STATES

AIR FORCE SYSTEMS COMMAND

Classified locations, \$1,300,000.

STRATEGIC AIR COMMAND

Andersen Air Force Base, Guam, \$4,170,000.

UNITED STATES AIR FORCES IN EUROPE

Various locations, \$38,000,000.

NUCLEAR WEAPONS SECURITY

Various locations, \$13,180,000.

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 and unforeseen research and development requirements, or (4) improved production schedules, if the Secretary of Defense determines the 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 \$10,000,000. 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 1978 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.

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 the following acquisition and construction:

INSIDE THE UNITED STATES

DEFENSE MAPPING AGENCY

Defense Mapping Agency Aerospace Center, Saint Louis, Missouri, \$1,023,000.

Defense Mapping Agency Topographic Center, Bethesda, Maryland, \$455,000.

DEFENSE SUPPLY AGENCY

Cameron Station, Alexandria, Virginia, \$8,000,000.

Defense Construction Supply Center, Columbus, Ohio, \$855,000.

Defense Electronics Supply Center, Dayton, Ohio, \$130,000.

Defense Fuel Support Point, Cincinnati, Ohio, \$191,000.

Defense Fuel Support Point, Lynn Haven, Florida, \$1,393,000.

Defense Fuel Support Point, Melville, Newport, Rhode Island, \$225,000.

Defense General Supply Center, Richmond, Virginia, \$1,624,000.

Defense Logistics Service Center, Battle Creek, Michigan, \$1,862,000.

Defense Property Disposal Office, Ayer, Fort Devens, Massachusetts, \$500,000.

Defense Property Disposal Office, Duluth Air Force Base, Minnesota, \$135,000.

Defense Property Disposal Office, Groton, Connecticut, \$231,000.

Defense Property Disposal Office, Gunter Air Force Base, Alabama, \$150,000.

Defense Property Disposal Office, Fort Riley, Kansas, \$772,000.

Defense Property Disposal Office, Wurtsmith, Michigan, \$162,000.

TERMINAL PROCUREMENT

Harrisville, Michigan, \$700,000.

Verona, New York, \$200,000.

NATIONAL SECURITY AGENCY

Fort George G. Meade, Maryland, \$2,247,000.

OUTSIDE THE UNITED STATES

DEFENSE SUPPLY AGENCY

Defense Property Disposal Office, Kaiserslautern, Germany, \$575,000.

Defense Property Disposal Office, Nuremberg, Germany, \$649,000.

Defense Property Disposal Office, Seckenheim, Germany, \$867,000.

EMERGENCY CONSTRUCTION

SEC. 402. The Secretary of Defense may establish or develop installations and facilities which he determines to be vital to the secu-

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city 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 \$10,000,000. The Secretary of Defense, or his designee, shall notify the Committee 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 real estate actions pertaining thereto.

TITLE V—MILITARY FAMILY HOUSING

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 locations in the United States until the Secretary has consulted with the Secretary of the Department of Housing and Urban Development as to the availability of suitable private housing at such locations. 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.

(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 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, six hundred fifty-two units, \$25,510,000.

Naval Complex, Bangor, Washington, two hundred forty-two units, \$9,375,000.

Naval Station, Keflavik, Iceland, one hundred sixty units, \$17,200,000.

Gila Bend Air Force Auxiliary Field, Arizona, forty units, \$1,676,000.

(d) Any amount 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 the request for such amount was sub-

mitted 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.

ALTERATIONS 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, \$12,000,000 for energy conservation projects;
- (2) for the Department of the Navy, \$7,000,000 for energy conservation projects; and
- (3) for the Department of the Air Force, \$6,890,000 for energy conservation projects.

RENTAL QUARTERS

SEC. 503. (a) Section 515 of Public Law 84-161 (69 Stat. 324, 352), as amended, is further amended by revising the third sentence to read as follows: "Expenditures for the rental of such housing facilities, including the cost of utilities and maintenance and operation, may not exceed: For the United States (other than Alaska, Hawaii, and Guam) and Puerto Rico, an average of \$265 per month for each military department or the amount of \$450 per month for any unit; and for Alaska, Hawaii, and Guam, an average of \$335 per month for each military department, or the amount of \$450 per month for any one unit."

(b) Section 507(b) of Public Law 93-166 (87 Stat. 661, 676) is amended by striking out "\$380" and "\$670" in the first sentence and inserting in lieu thereof "\$405" and "\$700", respectively.

SETTLEMENT OF CLAIMS

SEC. 504. Notwithstanding the provisions of any other law:

- (1) The Secretary of the Navy is authorized to settle claims regarding construction of public quarters at the Naval Station, Charleston, South Carolina, in the amount of \$1,675,000.
- (2) The Secretary of the Air Force is authorized to settle claims regarding construction of mobile home facilities at MacDill Air Force Base, Florida, in the amount of \$88,000, plus interest at $8\frac{7}{8}$ per centum from April 23, 1975, the date of settlement.

HOUSING, APPROPRIATIONS LIMITATIONS

SEC. 505. There is authorized to be appropriated for use by the Secretary of Defense or, his designee, for military family housing as authorized by law for the following purposes:

- (1) For construction 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 \$80,576,000.
- (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 premi-

ums authorized under section 222 of the National Housing Act, as amended (12 U.S.C. 1715m), an amount not to exceed \$1,223,947,000.

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 title I, II, III, IV, and V shall not exceed—

- (1) for title I: Inside the United States, \$419,837,000; outside the United States, \$164,661,000; or a total of \$584,498,000.
- (2) for title II: Inside the United States, \$481,580,000; outside the United States, \$19,356,000; or a total of \$500,936,000.
- (3) for title III: Inside the United States, \$679,759,000; outside the United States, \$56,650,000; or a total of \$736,409,000.
- (4) for title IV: A total of \$32,946,000.
- (5) for title V: Military Family Housing, \$1,304,523,000.

COST VARIATIONS

SEC. 603. (a) Except as provided in subsections (b) and (c), any amount 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 the request for such amount was submitted to the Congress.

(b) When the amount named 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 the amount authorized 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 named for such project by the Congress.

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(c) When the Secretary of Defense determines that any amount named in title I, II, III, or IV of this Act must be exceeded by more than the percentages permitted in subsections (a) or (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 any provision to the contrary in prior military construction authorizations Acts, the provisions of this subsection shall apply to such prior Acts.

(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 (A) thirty days have elapsed from the date of submission of such report, or (B) both committees have indicated approval of such reduction in scope or increase in cost, as the case may be.

(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.

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, or 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 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 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

SEC. 605. (a) As of January 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 Act of October 7, 1975, Public Law 94-107 (89 Stat. 546), and all such authorizations contained in Acts approved before October 7, 1975, and not superseded or otherwise modified by a later authorization are repealed except—

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

(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 January 1, 1978, and authorizations for appropriations therefor.

(b) Notwithstanding the repeal provisions of section 605 of the Act of October 7, 1975, Public Law 94-107 (89 Stat. 546, 565), authorizations for the following items shall remain in effect until January 1, 1979:

(1) Defense Satellite Communications System construction in the amount of \$1,054,000 at Stuttgart, Germany, authorized in section 101 of the Act of December 27, 1974 (88 Stat. 1747), as amended.

(2) Cold storage warehouse construction in the amount of \$1,215,000 at Fort Dix, New Jersey, authorized in section 101 of the Act of October 25, 1972 (86 Stat. 1135), as amended and extended in section 605(3)(B) of the Act of December 27, 1974 (88 Stat. 1762), as amended.

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(3) Land acquisition, Murphy Canyon in the amount of \$3,843,000 at Naval Regional Medical Center, San Diego, California, authorized in section 201 of the Act of December 27, 1974 (88 Stat. 1750), as amended.

(4) Land acquisition in the amount of \$800,000 at Naval Security Group Activity, Sabana Seca, Puerto Rico, authorized in section 201 of the Act of December 27, 1974 (88 Stat. 1750), as amended.

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) \$39 per square foot for permanent barracks;

(2) \$42 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 contained 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 projects with solar heating and/or solar cooling equipment.

LAND CONVEYANCE, NEW JERSEY

SEC. 608. (a) The Secretary of the Navy is authorized to convey, without consideration, to the Airship Association, a nonprofit organization incorporated under the laws of the State of New Jersey, all right, title, and interest of the United States in and to that portion of the lands comprising the Naval Air Station, Lakehurst, New Jersey, described in subsection (b), for use as a permanent site for the museum described in subsection (c), subject to conditions of use set forth in such subsection.

(b) The land authorized to be conveyed by subsection (a) is a certain parcel of land containing 13.98 acres, more or less, situated in Ocean County, New Jersey, being a part of the Naval Air Station, Lakehurst, New Jersey, and more particularly described as follows:

Beginning at a point on the westerly side of Ocean County Route Numbered 547, 205.40 feet northerly from the intersection of the center line of new road and the westerly side of Route

Numbered 547 thence (1) north 10 degrees 14 minutes 19 seconds east, 770.25 feet along the westerly edge of road to a point thence (2) north 66 degrees 35 minutes 41 seconds west, 724.55 feet to a point thence (3) south 23 degrees 24 minutes 19 seconds west, 750 feet to a point thence (4) south 66 degrees 35 minutes 41 seconds east, 900 feet to the point and place of beginning.

(c) The conveyance authorized by subsection (a) shall be subject to the following conditions and such other terms and conditions as the Secretary of the Navy, or his designee, shall determine necessary to protect the interests of the United States:

(1) The lands so conveyed shall be used primarily for the construction and operation of an airship museum to collect, preserve, and display to the public materials, memorabilia, and other items of historical significance and interest relative to the development and use of the airship, and for purposes incidental thereto.

(2) All right, title, and interest in and to such lands, and any improvements constructed thereon, shall revert to the United States, which shall have an immediate right of entry thereon, if the construction of the airship museum is not undertaken within five years from the date of such conveyance or if the lands conveyed shall cease to be used for the purposes specified in paragraph (1).

(3) All expenses for surveys and the preparation and execution of legal documents necessary or appropriate to carry out the provisions of this section shall be borne by the Airship Association.

LAND CONVEYANCE, WEST VIRGINIA

SEC. 609. Notwithstanding any other provisions of law, the Secretary of Defense, or his designee, is authorized to convey to the city of South Charleston, West Virginia, 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 section of land located on the property formerly known as the South Charleston Naval Ordnance Plant, with improvements, such land consisting of approximately 4.5 acres. In consideration of such conveyance by the Secretary, the city of South Charleston shall convey to the United States unencumbered fee title to eight acres of land owned by the municipality, improved in a manner acceptable to the Secretary, and subject to such other conditions as are acceptable to the Secretary. 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 South Charleston. The Secretary is authorized to accept the lands so conveyed to the United States, which lands shall be administered by the Department of the Army.

STUDIES OF REUSE OF MILITARY BASES

SEC. 610. (a) Whenever a final decision has been made to close any military installation located in the United States, Guam, or Puerto Rico and, because of the location, facilities, and other particular characteristics of such installation, the Secretary of Defense determines that such installation may be suitable for some specific Federal or State use potentially beneficial to the Nation, the Secretary of Defense is authorized to conduct such studies, including, but not limited to, the preparation of an environmental impact statement in accordance

with the National Environmental Policy Act of 1969, in connection with such installation and such potential use as may be necessary to provide information sufficient to make sound conclusions and recommendations regarding the possible use of such installation.

(b) Any study conducted under authority of this section shall be submitted to the President and the Congress together with such comments and recommendations as the Secretary of Defense may deem appropriate. Such studies shall also be available to the public.

(c) As used in this section, the term "military installation" includes any camp, post, station, base, yard, or other installation under the jurisdiction of any military department.

(d) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

IMPACT ASSISTANCE, NONPROFIT COOPERATIVES

SEC. 611. Notwithstanding section 7 of the Act of August 23, 1912 (31 U.S.C. 679), the Secretary of Defense is authorized to use any funds appropriated to carry out the provisions of section 610 of the Military Construction Act, 1971 (84 Stat. 1224), to reimburse nonprofit, mutual aid telephone cooperatives for their capital expenditures for the purchase and installation of nontactical communications equipment and related facilities, to the extent the Secretary determines that (1) such expenditures are not otherwise recoverable by such cooperatives, (2) such expenditures were incurred as the direct result of the construction, installation, testing, and operation of the SAFEGUARD Antiballistic Missile System, and (3) such cooperatives, as a result of the deactivation and termination of such system, would sustain an unfair and excessive financial burden in the absence of the financial assistance authorized by this section.

BASE REALIGNMENTS

SEC. 612. (a) Notwithstanding any other provision of law, no funds authorized to be appropriated in this Act may be used to effect or implement—

(1) the closure of any military installation;

(2) any reduction in the authorized level of civilian personnel at any military installation by more than one thousand civilian personnel or 50 per centum of the level of such personnel authorized as of March 1, 1976, or the end of the fiscal year immediately preceding the fiscal year in which the Secretary of Defense or the Secretary of the military department concerned notifies the Congress that such installation is a candidate for closure or significant reduction, whichever occurs later; or

(3) any construction, conversion, or rehabilitation at any other military installation (whether or not such installation is a military installation as defined in subsection (b)) which will or may be required as a result of the relocation of civilian personnel to such other installation by reason of any closure or reduction to which this section applies;

unless—

(A) the Secretary of Defense or the Secretary of the military department concerned notifies the Congress in writing that such military installation is a candidate for closure or significant reduction; and then

(B) the Secretary of Defense or the Secretary of the military department concerned complies with all terms, conditions and requirements of the National Environmental Policy Act; and then

(C) the Secretary of Defense or the Secretary of the military department concerned submits to the Committees on Armed Services of the House of Representatives and the Senate his final decision to close or significantly reduce such installation and a detailed justification for his decision, together with the estimated fiscal, local economic, budgetary, environmental, strategic, and operational consequences of the proposed closure or reduction; and then

(D) a period of at least sixty days expires following the date on which the justification referred to in clause (C) has been submitted to such committees, during which period the Secretary of Defense or the Secretary of the military department concerned may take no irrevocable action to implement the decision.

(b) For purposes of this section, the term "military installation" means any camp, post, station, base, yard, or other facility under the authority of the Department of Defense—

(1) which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or Guam; and

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

(c) For purposes of this section, the term "civilian personnel" means direct-hire permanent civilian employees of the Department of Defense.

(d) This section shall not apply to any closure or reduction if the President certifies to Congress that such closure or reduction must be implemented for reasons of any military emergency or national security or if such closure or reduction was publicly announced prior to January 1, 1976.

NAVAL MUSEUM, CHARLESTON, SOUTH CAROLINA

SEC. 613. The Congress hereby expresses its approval and encouragement with respect to the establishment, by the State of South Carolina, of a naval and maritime museum in the city of Charleston, South Carolina, and recognizes the historical importance of such museum and the patriotic purpose it is intended to serve.

AMENDMENT TO TITLE 10, UNITED STATES CODE; REAL PROPERTY EXCHANGE

SEC. 614. Section 2662(a) of title 10, United States Code, is amended by adding at the end thereof a new sentence as follows: "The report required by this subsection to be submitted to the Committees on Armed Services of the Senate and House of Representatives concerning any report of excess real property described in clause (5) shall contain a certification by the Secretary concerned that he has considered the feasibility of exchanging such property for other real property authorized to be acquired for military purposes and has determined that the property proposed to be declared excess is not suitable for such purpose."

SHORT TITLE

SEC. 615. Titles I, II, III, IV, V, and VI of this Act may be cited as the "Military Construction Authorization Act, 1977".

CORRECTED SHEET

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TITLE VII—GUARD AND RESERVE FORCES FACILITIES

AUTHORIZATION FOR FACILITIES

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) Army National Guard of the United States, \$54,745,000.
 - (b) Army Reserve, \$44,459,000.
- (2) For the Department of the Navy: Naval and Marine Corps Reserves, \$21,800,000.
- (3) For the Department of the Air Force:
 - (a) Air National Guard of the United States, \$33,900,000.
 - (b) Air Force Reserve, \$9,773,000.

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.

SHORT TITLE

SEC. 703. This title may be cited as the "Guard and Reserves Forces Facilities Authorization Act, 1977".

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

I am today signing H.R. 14846, the Military Construction Authorization Act for fiscal year 1977. H.R. 14846 provides a comprehensive construction program for fiscal year 1977 keyed to recognized military requirements.

Three months ago, I vetoed its predecessor, H.R. 12384, because it contained highly objectionable provisions that would have delayed for at least a year almost any action to close or realign a major military installation. Such unnecessary delay would have wasted defense dollars which are needed to strengthen our military capabilities and would also have substantially limited my powers as Commander-in-Chief over our military installations. This was obviously unacceptable and Congress sustained my veto.

The bill which I am signing today represents a substantial compromise on behalf of the Congress and refreshes my faith in the system of checks and balances established by our Constitution. The requirement of a year's delay which I vetoed has been replaced in H.R. 14846 by a sixty-day waiting period. While I believe that current procedures provide adequate time for the Congress and other interested parties to review base realignment actions, the sixty-day waiting period represents a compromise which I accept.

Since the sixty-day delay is imposed after the completion of required studies and the announcement of the official realignment decision, further delay would waste essential defense resources. Thus, I am directing the Secretary of Defense to implement realignment plans at the conclusion of this sixty-day period.

Finally, my concern for the economic difficulties faced by individuals and communities affected by defense realignments is well-known. On July 12 of this year, I directed the heads of twenty Federal departments and agencies to strengthen their efforts to deal with all aspects of the problem. It should be noted that concerned departments and agencies have worked effectively with 136 communities in forty States over the past 6 years and have achieved notable results.

I am equally committed, however, to the principle that our economic adjustment efforts in communities affected by realignments must remain separate from national defense decisions to realign military installations. This legislation does not make base realignment decisions contingent upon the economic impact such decisions may have upon communities where affected bases are located. In this regard, the Senate Committee report on this bill states:

"... the decision to close or reduce a military installation must be based on military necessity with due regard for

more

environmental impact. Military bases cannot be maintained to support other than national defense requirements."

In summary, H.R. 14846 provides a satisfactory and much needed military construction program for fiscal year 1977. I am confident that the bill will enable us to meet our essential military requirements in a responsible and cost-effective manner.

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