

Public Law 95-356
95th Congress

An Act

To authorize certain construction at military installations for fiscal year 1979, and for other purposes.

Sept. 8, 1978

[H.R. 12602]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Military Construction Authorization Act, 1979".

Military
Construction
Authorization
Act, 1979.

TITLE I—ARMY

AUTHORIZED ARMY CONSTRUCTION PROJECTS

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, \$8,836,000.
Fort Carson, Colorado, \$25,636,000.
Fort Devens, Massachusetts, \$799,000.
Fort Greeley, Alaska, \$2,651,000.
Helemano Military Reservation, Hawaii, \$1,916,000.
Fort Hood, Texas, \$62,086,000.
Fort Sam Houston, Texas, \$1,633,000.
Fort Lewis, Washington, \$8,933,000.
Fort McCoy, Wisconsin, \$991,000.
Fort Meade, Maryland, \$10,669,000.
Fort Ord, California, \$1,628,000.
Fort Polk, Louisiana, \$25,845,000.
Fort Richardson, Alaska, \$1,974,000.
Fort Riley, Kansas, \$5,915,000.
Schofield Barracks, Hawaii, \$12,223,000.
Fort Stewart Hunter Army Air Field, Georgia, \$57,129,000.
Fort Wainwright, Alaska, \$3,323,000.
Yakima Firing Center, Washington, \$1,270,000.

UNITED STATES ARMY TRAINING AND DOCTRINE COMMAND

Fort Benning, Georgia, \$5,173,000.
Fort Bliss, Texas, \$4,758,000.
Carlisle Barracks, Pennsylvania, \$1,601,000.
Fort Eustis, Virginia, \$5,353,000.
Fort Gordon, Georgia, \$3,247,000.
Fort Benjamin Harrison, Indiana, \$2,359,000.
Fort Jackson, South Carolina, \$3,300,000.
Fort Knox, Kentucky, \$15,058,000.
Fort Leavenworth, Kansas, \$2,251,000.

Fort Lee, Virginia, \$3,074,000.
 Fort Rucker, Alabama, \$2,280,000.
 Fort Monroe, Virginia, \$550,000.
 Fort Sill, Oklahoma, \$24,756,000.
 Fort Leonard Wood, Missouri, \$13,947,000.

UNITED STATES ARMY MATERIEL DEVELOPMENT AND READINESS
 COMMAND

Aberdeen Proving Ground, Maryland, \$9,412,000.
 Anniston Army Depot, Alabama, \$10,736,000.
 Hawthorne Ammunition Depot, Nevada, \$1,547,000.
 Holston Army Ammunition Plant, Tennessee, \$30,650,000.
 Iowa Army Ammunition Plant, Iowa, \$1,028,000.
 Kansas Army Ammunition Plant, Kansas, \$1,124,000.
 Longhorn Army Ammunition Plant, Texas, \$507,000.
 Michigan Army Missile Plant, Michigan, \$1,284,000.
 Milan Army Ammunition Plant, Tennessee, \$1,239,000.
 Natick Laboratories, Massachusetts, \$3,221,000.
 Picatinny Arsenal, New Jersey, \$16,381,000.
 Pine Bluff Arsenal, Arkansas, \$523,000.
 Red River Army Depot, Texas, \$813,000.
 Redstone Arsenal, Alabama, \$3,825,000.
 Rock Island Arsenal, Illinois, \$1,957,000.
 Seneca Army Depot, New York, \$1,087,000.
 Sierra Army Depot, California, \$843,000.
 Sunflower Army Ammunition Plant, Kansas, \$1,281,000.
 Tobyhanna Army Depot, Pennsylvania, \$1,227,000.
 Watervliet Arsenal, New York, \$27,021,000.

AMMUNITION FACILITIES

Holston Army Ammunition Plant, Tennessee, \$398,000.
 Indiana Army Ammunition Plant, Indiana, \$771,000.
 Iowa Army Ammunition Plant, Iowa, \$5,011,000.
 Kansas Army Ammunition Plant, Kansas, \$394,000.
 Lone Star Army Ammunition Plant, Texas, \$172,000.
 Longhorn Army Ammunition Plant, Texas, \$137,000.
 Louisiana Army Ammunition Plant, Louisiana, \$276,000.
 Milan Army Ammunition Plant, Tennessee, \$9,370,000.
 Radford Army Ammunition Plant, Virginia, \$2,960,000.
 Scranton Army Ammunition Plant, Pennsylvania, \$1,928,000.
 Sunflower Army Ammunition Plant, Kansas, \$2,251,000.

UNITED STATES ARMY COMMUNICATIONS COMMAND

Fort Huachuca, Arizona, \$3,811,000.
 Fort Ritchie, Maryland, \$5,115,000.

UNITED STATES MILITARY ACADEMY

United States Military Academy, West Point, New York,
 \$12,265,000.

UNITED STATES ARMY HEALTH SERVICES COMMAND

Fitzsimons Army Medical Center, Colorado, \$1,372,000.
 Walter Reed Army Medical Center, District of Columbia, \$3,524,000.

MILITARY TRAFFIC MANAGEMENT COMMAND

Sunny Point Military Ocean Terminal, North Carolina, \$1,228,000.

OUTSIDE THE UNITED STATES

UNITED STATES ARMY, KOREA

Various Locations, \$7,580,000.

KWAJALEIN MISSILE RANGE

National Missile Range, \$6,571,000.

UNITED STATES ARMY, EUROPE

Germany, Various Locations, \$213,875,000.

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, (4) improved production schedules, or (5) revisions in the tasks or functions assigned to a military installation or facility or for environmental considerations, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security and, in connection therewith, may acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of \$20,000,000. The Secretary of the Army, or his designee, shall notify the Committees on Armed Services of the Senate and 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 1980, 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.

Notification to congressional committees.

Authorization expiration.

MINOR CONSTRUCTION

SEC. 103. The Secretary of the Army is authorized to accomplish minor construction projects under section 2674 of title 10, United States Code, in the amount of \$35,365,000.

TITLE II—NAVY

AUTHORIZED NAVY CONSTRUCTION PROJECTS

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works,

including land acquisition, site preparation, appurtenances, utilities, and equipment, for the following acquisition and construction:

INSIDE THE UNITED STATES

MARINE CORPS

Headquarters Marine Corps, Arlington, Virginia, \$12,000,000.
 Marine Corps Base, Camp Lejeune, North Carolina, \$16,130,000.
 Marine Corps Base, Camp Pendleton, California, \$19,700,000.
 Marine Corps Air Station, Cherry Point, North Carolina, \$2,000,000.
 Marine Corps Air Station, El Toro, California, \$7,150,000.
 Marine Corps Air Station, Kaneohe Bay, Hawaii, \$8,500,000.
 Marine Corps Air Station, New River, North Carolina, \$5,300,000.
 Marine Corps Development and Education Command, Quantico, Virginia, \$3,300,000.
 Marine Corps Air Station, Santa Ana, California, \$920,000.
 Marine Corps Base, Twentynine Palms, California, \$12,000,000.
 Marine Corps Air Station, Yuma, Arizona, \$930,000.

OFFICE OF NAVAL RESEARCH

Naval Research Laboratory, Washington, District of Columbia, \$5,400,000.

CHIEF OF NAVAL OPERATIONS

Naval Academy, Annapolis, Maryland, \$14,240,000.
 Naval Station, Annapolis, Maryland, \$1,000,000.
 Naval Submarine Support Base, Kings Bay, Kingsland, Georgia, \$39,100,000.
 Naval Support Activity, Philadelphia, Pennsylvania, \$5,700,000.
 Commandant Naval District Washington, District of Columbia, \$4,135,000.

COMMANDER IN CHIEF, ATLANTIC FLEET

Naval Air Station, Brunswick, Maine, \$16,290,000.
 Naval Air Station, Cecil Field, Florida, \$2,030,000.
 Naval Station, Charleston, South Carolina, \$10,240,000.
 Naval Air Station, Jacksonville, Florida, \$1,285,000.
 Naval Amphibious Base, Little Creek, Virginia, \$4,100,000.
 Naval Station, Mayport, Florida, \$16,800,000.
 Naval Submarine Base, New London, Connecticut, \$13,650,000.
 Naval Station, Norfolk, Virginia, \$12,760,000.
 Naval Air Station, Oceana, Virginia, \$6,405,000.

COMMANDER IN CHIEF, PACIFIC FLEET

Naval Station, Adak, Alaska, \$8,075,000.
 Naval Air Station, Alameda, California, \$1,380,000.
 Naval Air Station, Lemoore, California, \$1,450,000.
 Naval Air Station, Miramar, California, \$9,500,000.
 Naval Air Station, Moffett Field, California, \$1,000,000.
 Naval Air Station, North Island, California, \$7,110,000.
 Naval Station, Pearl Harbor, Hawaii, \$16,790,000.
 Naval Station, San Diego, California, \$41,000,000.
 Naval Air Station, Whidbey Island, Washington, \$9,500,000.

CHIEF OF NAVAL EDUCATION AND TRAINING

Fleet Combat Training Center Atlantic, Dam Neck, Virginia, \$6,000,000.

Fleet Ballistic Missile Submarine Training Center, Charleston, South Carolina, \$800,000.

Fleet Training Center, Mayport, Florida, \$630,000.

Naval Air Station, Memphis, Tennessee, \$570,000.

Naval Submarine School, New London, Connecticut, \$6,050,000.

Naval Education and Training Center, Newport, Rhode Island, \$4,600,000.

Surface Warfare Officers School Command, Newport, Rhode Island, \$1,750,000.

Naval Training Center, Orlando, Florida, \$5,620,000.

Naval Submarine Training Center, Pearl Harbor, Hawaii, \$1,500,000.

Fleet Anti-Submarine Warfare Training Center, San Diego, California, \$4,250,000.

Fleet Combat Training Center, Pacific, San Diego, California, \$760,000.

Fleet Training Center, San Diego, California, \$8,200,000.

Naval Training Center, San Diego, California, \$850,000.

Naval Technical Training Center, San Francisco, California, \$1,550,000.

BUREAU OF MEDICINE AND SURGERY

National Naval Medical Center, Bethesda, Maryland, \$8,430,000.

Naval Regional Medical Center, Camp Lejeune, North Carolina, \$51,500,000.

Naval Hospital, Cherry Point, North Carolina, \$700,000.

Naval Regional Dental Center, Norfolk, Virginia, \$7,400,000.

Naval Hospital, Quantico, Virginia, \$1,800,000.

CHIEF OF NAVAL MATERIAL

Naval Ship Research and Development Center, Bethesda, Maryland, \$1,290,000.

Puget Sound Naval Shipyard, Bremerton, Washington, \$16,650,000.

Puget Sound Naval Supply Center, Bremerton, Washington, \$2,700,000.

Charleston Naval Shipyard, Charleston, South Carolina, \$20,200,000.

Naval Supply Center, Charleston, South Carolina, \$1,100,000.

Naval Weapons Station, Charleston, South Carolina, \$3,455,000.

Polaris Missile Facility Atlantic, Charleston, South Carolina, \$6,500,000.

Naval Weapons Center, China Lake, California, \$5,360,000.

Naval Weapons Station, Concord, California, \$2,600,000.

Naval Surface Weapons Center, Dahlgren, Virginia, \$10,700,000.

Naval Weapons Station, Earle, New Jersey, \$10,050,000.

Navy Public Works Center, Great Lakes, Illinois, \$3,300,000.

Naval Avionics Facility, Indianapolis, Indiana, \$2,900,000.

Portsmouth Naval Shipyard, Kittery, Maine, \$16,150,000.

Naval Air Engineering Center, Lakehurst, New Jersey, \$140,000.

Long Beach Naval Shipyard, Long Beach, California, \$15,810,000.

Navy Ships Parts Control Center, Mechanicsburg, Pennsylvania, \$700,000.

Naval Air Rework Facility, Norfolk, Virginia, \$4,000,000.
 Naval Supply Center, Norfolk, Virginia, \$4,270,000.
 Navy Public Works Center, Norfolk, Virginia, \$4,200,000.
 Naval Supply Center, Oakland, California, \$6,360,000.
 Naval Coastal Systems Laboratory, Panama City, Florida,
 \$3,150,000.
 Naval Air Test Center, Patuxent River, Maryland, \$8,900,000.
 Naval Supply Center, Pearl Harbor, Hawaii, \$3,750,000.
 Pearl Harbor Naval Shipyard, Pearl Harbor, Hawaii, \$5,390,000.
 Navy Public Works Center, Pearl Harbor, Hawaii, \$750,000.
 Philadelphia Naval Shipyard, Philadelphia, Pennsylvania,
 \$9,050,000.
 Pacific Missile Test Center, Point Mugu, California, \$3,810,000.
 Naval Construction Battalion Center, Port Hueneme, California,
 \$940,000.
 Norfolk Naval Shipyard, Portsmouth, Virginia, \$13,350,000.
 Naval Supply Center, San Diego, California, \$15,250,000.
 Navy Public Works Center, San Francisco, California, \$3,300,000.
 Naval Air Development Center, Warminster, Pennsylvania,
 \$3,290,000.
 Mare Island Naval Shipyard, Vallejo, California, \$19,000,000.
 Naval Weapons Station, Yorktown, Virginia, \$9,680,000.

NAVAL TELECOMMUNICATIONS COMMAND

Naval Communication Station, Adak, Alaska, \$790,000.
 Naval Radio Transmitter Facility, Annapolis, Maryland, \$850,000.
 Naval Communication Area Master Station Atlantic, Norfolk, Vir-
 ginia, \$830,000.

NAVAL SECURITY GROUP COMMAND

Naval Security Group Activity, Winter Harbor, Maine, \$540,000.

OUTSIDE THE UNITED STATES

MARINE CORPS

Marine Corps Air Station, Iwakuni, Japan, \$4,500,000.

COMMANDER IN CHIEF, ATLANTIC FLEET

Naval Air Station, Bermuda, \$4,300,000.
 Naval Station, Keflavik, Iceland, \$6,230,000.
 Naval Station, Roosevelt Roads, Puerto Rico, \$4,680,000.

COMMANDER IN CHIEF, PACIFIC FLEET

Naval Magazine, Guam, Mariana Islands, \$22,340,000.
 Naval Supply Depot, Yokosuka, Japan, \$3,700,000.

COMMANDER IN CHIEF, NAVAL FORCES EUROPE

Naval Station, Rota, Spain, \$3,350,000.
 Naval Air Facility, Sigonella, Italy, \$7,150,000.

BUREAU OF MEDICINE AND SURGERY

Naval Medical Research Unit Number 3, Cairo, Arab Republic of Egypt, \$960,000.

NAVAL TELECOMMUNICATIONS COMMAND

Naval Communication Unit, Thurso, Scotland, \$890,000.

NAVAL SECURITY GROUP COMMAND

Naval Security Group Activity, Classified Location, \$1,663,000.

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, (4) improved production schedules, or (5) revisions in the tasks or functions assigned to a military installation or facility or for environmental considerations, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interest of national security and, in connection therewith, may acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of \$20,000,000. The Secretary of the Navy, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire upon the date of enactment of the Military Construction Authorization Act for fiscal year 1980, 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.

Notification to congressional committees.

Authorization expiration.

MINOR CONSTRUCTION

SEC. 203. The Secretary of the Navy is authorized to accomplish minor construction projects under section 2674 of title 10, United States Code, in the amount of \$39,662,000.

AMENDMENT TO SAN DIEGO NAVAL ATHLETIC FIELD TRANSFER

SEC. 204. (a) Section 203 of the Military Construction Authorization Act, 1978 (Public Law 95-82, 91 Stat. 365) is amended—

(1) by striking out "the total cost" in subsection (a) and inserting in lieu thereof "a total of \$4,500,000 for the cost"; and

(2) by striking out paragraph (1) of subsection (b) and inserting in lieu thereof the following:

"(1) the Secretary, or his designee, determines that the recreational facilities to be constructed under such subsection will be

satisfactory replacements for the facilities on the existing Navy Athletic Field; and”.

BIOMEDICAL RESEARCH LABORATORY, CAIRO, EGYPT

SEC. 205. The Secretary of the Navy is authorized to expend excess foreign exchange funds in the amount of \$6,000,000 for the construction of a biomedical research laboratory at the Naval Medical Research Unit Number 3, Cairo, Arab Republic of Egypt.

TITLE III—AIR FORCE

AUTHORIZED AIR FORCE CONSTRUCTION PROJECTS

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, \$8,687,000.

AIR FORCE LOGISTICS COMMAND

Hill Air Force Base, Utah, \$8,163,000.
 Kelly Air Force Base, Texas, \$17,219,000.
 McClellan Air Force Base, California, \$3,700,000.
 Newark Air Force Station, Ohio, \$1,400,000.
 Robins Air Force Base, Georgia, \$9,424,000.
 Tinker Air Force Base, Oklahoma, \$2,354,000.
 Wright-Patterson Air Force Base, Ohio, \$13,600,000.

AIR FORCE SYSTEMS COMMAND

Arnold Engineering Development Center, Tennessee, \$2,710,000.
 Buckley Air National Guard Base, Colorado, \$2,628,000.
 Cape Canaveral Air Force Station, Florida, \$9,624,000.
 Edwards Air Force Base, California, \$4,423,000.
 Eglin Air Force Base, Florida, \$3,579,000.
 Hanscom Air Force Base, Massachusetts, \$3,237,000.
 Patrick Air Force Base, Florida, \$3,504,000.
 Various Locations, \$688,000.

AIR TRAINING COMMAND

Columbus Air Force Base, Mississippi, \$1,586,000.
 Keesler Air Force Base, Mississippi, \$7,835,000.
 Lackland Air Force Base, Texas, \$6,945,000.
 Laughlin Air Force Base, Texas, \$329,000.
 Mather Air Force Base, California, \$4,522,000.
 Randolph Air Force Base, Texas, \$850,000.
 Reese Air Force Base, Texas, \$742,000.
 Vance Air Force Base, Oklahoma, \$913,000.

ALASKAN AIR COMMAND

Eielson Air Force Base, Alaska, \$1,602,000.
 Galena Airport, Alaska, \$540,000.
 Shemya Air Force Base, Alaska, \$546,000.
 Various Locations, \$3,400,000.

MILITARY AIRLIFT COMMAND

Altus Air Force Base, Oklahoma, \$1,111,000.
 Dover Air Force Base, Delaware, \$8,021,000.
 Kirtland Air Force Base, New Mexico, \$1,450,000.
 Little Rock Air Force Base, Arkansas, \$504,000.
 McChord Air Force Base, Washington, \$594,000.
 Norton Air Force Base, California, \$506,000.
 Scott Air Force Base, Illinois, \$4,014,000.

STRATEGIC AIR COMMAND

Barksdale Air Force Base, Louisiana, \$510,000.
 Beale Air Force Base, California, \$2,256,000.
 Carswell Air Force Base, Texas, \$2,910,000.
 Castle Air Force Base, California, \$13,351,000.
 Dyess Air Force Base, Texas, \$2,670,000.
 Ellsworth Air Force Base, South Dakota, \$3,454,000.
 Francis E. Warren Air Force Base, Wyoming, \$23,143,000.
 Fairchild Air Force Base, Washington, \$650,000.
 Grand Forks Air Force Base, North Dakota, \$1,344,000.
 Griffiss Air Force Base, New York, \$7,499,000.
 Grissom Air Force Base, Indiana, \$314,000.
 Malmstrom Air Force Base, Montana, \$5,400,000.
 March Air Force Base, California, \$357,000.
 McConnell Air Force Base, Kansas, \$2,200,000.
 Minot Air Force Base, North Dakota, \$1,182,000.
 Plattsburgh Air Force Base, New York, \$11,691,000.
 Rickenbacker Air Force Base, Ohio, \$946,000.
 Vandenberg Air Force Base, California, \$141,782,000.
 Wurtsmith Air Force Base, Michigan, \$113,000.

TACTICAL AIR COMMAND

Cannon Air Force Base, New Mexico, \$4,129,000.
 Davis-Monthan Air Force Base, Arizona, \$1,610,000.
 England Air Force Base, Louisiana, \$1,875,000.
 George Air Force Base, California, \$2,392,000.
 Holloman Air Force Base, New Mexico, \$4,135,000.
 Langley Air Force Base, Virginia, \$3,539,000.
 Luke Air Force Base, Arizona, \$3,843,000.
 Moody Air Force Base, Georgia, \$2,343,000.
 Mountain Home Air Force Base, Idaho, \$2,644,000.
 Myrtle Beach Air Force Base, South Carolina, \$2,694,000.
 Nellis Air Force Base, Nevada, \$16,950,000.
 Seymour-Johnson Air Force Base, North Carolina, \$2,950,000.
 Shaw Air Force Base, South Carolina, \$3,790,000.

UNITED STATES AIR FORCE ACADEMY

United States Air Force Academy, Colorado, \$4,635,000.

AIR NATIONAL GUARD

McEntire Air National Guard Base, South Carolina, \$230,000.

Selfridge Air National Guard Base, Michigan, \$2,578,000.

OUTSIDE THE UNITED STATES

MILITARY AIRLIFT COMMAND

Rhein-Main Air Base, Germany, \$9,350,000.

PACIFIC AIR FORCES

Kadena Air Base, Japan, \$4,799,000.

Kunsan Air Base, Korea, \$6,648,000.

Osan Air Base, Korea, \$7,515,000.

Various Locations, \$2,800,000.

STRATEGIC AIR COMMAND

Andersen Air Force Base, Guam, \$1,120,000.

TACTICAL AIR COMMAND

Howard Air Force Base, Canal Zone, \$718,000.

UNITED STATES AIR FORCES IN EUROPE

Germany, Various Locations, \$7,847,000.

United Kingdom, Various Locations, \$1,518,000.

Various Locations, \$26,648,000.

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, (4) improved production schedules, or (5) revisions in the tasks or functions assigned to a military installation or facility or for environmental considerations, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security and, in connection therewith, may acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of \$20,000,000. The Secretary of the Air Force, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining

Notification to
congressional
committees.

thereto. This authorization will expire upon the date of enactment of the Military Construction Authorization Act for fiscal year 1980, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to such date.

Authorization
expiration.

MINOR CONSTRUCTION

SEC. 303. The Secretary of the Air Force is authorized to accomplish minor construction projects under section 2674 of title 10, United States Code, in the amount of \$30,721,000.

TITLE IV—DEFENSE AGENCIES

AUTHORIZED CONSTRUCTION PROJECTS FOR THE DEFENSE AGENCIES

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

INSIDE THE UNITED STATES

DEFENSE LOGISTICS AGENCY

Defense Construction Supply Center, Columbus, Ohio, \$529,000.
 Defense Depot, Mechanicsburg, Pennsylvania, \$1,096,000.
 Defense Depot, Memphis, Tennessee, \$3,555,000.
 Defense Depot, Ogden, Utah, \$1,573,000.
 Defense Depot, Tracy, California, \$1,927,000.
 Defense Fuel Support Point, Charleston, South Carolina, \$532,000.
 Defense Fuel Support Point, Norwalk, California, \$1,488,000.
 Defense Property Disposal Office, Fort Belvoir, Virginia, \$755,000.
 Defense Property Disposal Office, Fort Hood, Texas, \$555,000.
 Defense Property Disposal Office, Fort Lewis, Washington, \$1,033,000.
 Defense Property Disposal Office, Fort Meade, Maryland, \$546,000.
 Defense Property Disposal Office, Indianapolis, Indiana, \$1,353,000.
 Defense Property Disposal Office, Jacksonville, Florida, \$811,000.
 Defense Property Disposal Office, Keesler Air Force Base, Mississippi, \$611,000.
 Defense Property Disposal Office, McClellan Air Force Base, California, \$1,533,000.
 Defense Property Disposal Office, Pensacola, Florida, \$558,000.
 Defense Property Disposal Office, Selfridge Air National Guard Base, Michigan, \$1,497,000.

DEFENSE MAPPING AGENCY

Defense Mapping Agency Aerospace Center, St. Louis Air Force Station, Missouri, \$1,130,000.

DEFENSE NUCLEAR AGENCY

Armed Forces Radiobiology Research Institute, Bethesda, Maryland, \$6,300,000.

NATIONAL SECURITY AGENCY

Fort George G. Meade, Maryland, \$2,850,000.

OFFICE OF THE SECRETARY OF DEFENSE

Classified Activity, Fort Belvoir, Virginia, \$9,200,000.

OUTSIDE THE UNITED STATES

DEFENSE LOGISTICS AGENCY

Defense Property Disposal Office, Nuremberg, Germany, \$870,000.

Defense Property Disposal Office, Subic Bay, Philippines, \$584,000.

OFFICE OF THE SECRETARY OF DEFENSE

DEPARTMENT OF DEFENSE OFFICE OF DEPENDENTS SCHOOLS

Nuremberg, Germany, \$4,545,000.

Pattonville Housing Area, Ludwigsburg, Germany, \$6,415,000.

Pioneer Kaserne, Hanau, Germany, \$6,297,000.

Ramstein Air Base, Germany, \$9,160,000.

Zweibruecken Air Base, Germany, \$7,263,000.

NORTH ATLANTIC TREATY ORGANIZATION INFRASTRUCTURE

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, \$120,000,000. Within thirty days after the end of each calendar-year quarter, the Secretary of Defense shall furnish to the Committees on Armed Services and on Appropriations of the Senate and House of Representatives a description of the obligations incurred by the United States for the United States share of the cost of such multilateral programs.

Report to
congressional
committees.

EMERGENCY CONSTRUCTION

SEC. 402. The Secretary of Defense may establish or develop installations and facilities which he determines to be vital to the security of the United States and, in connection therewith, may acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of \$10,000,000. The Secretary of Defense, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public works undertaken under this section, including real estate actions pertaining thereto.

Notification to
congressional
committees.

MINOR CONSTRUCTION

SEC. 403. The Secretary of Defense is authorized to accomplish minor construction projects under section 2674 of title 10, United States Code, in the amount of \$13,044,000.

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 location in the United States until the Secretary shall have consulted with the Secretary of Housing and Urban Development as to the availability of suitable private housing at such location. If agreement cannot be reached with respect to the availability of suitable private housing at any location, the Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives, in writing, of such difference of opinion, and no contract for construction at such location shall be entered into for a period of thirty days after such notification has been given. This authority shall include the authority to acquire land, and interests in land, by gift, purchase, exchange of Government-owned land, or otherwise.

Secretary of HUD, consultation.

Notification to congressional committees.

(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.

Cost limitations.

(c) Family housing units and mobile home facilities:

National Guard Advisory Detachments, Alaska, three units, \$137,000.

Naval Facility, Centerville Beach, California, twenty-eight units, \$1,509,000.

Marine Corps Air Station, El Toro, California, two hundred sixteen units, \$9,396,000.

Fort Ord, California, five hundred sixty units, \$24,432,000, and fifty mobile home spaces, \$690,000.

Marine Corps Base, Twentynine Palms, California, one hundred units, \$4,307,000.

Fort Stewart, Georgia, one hundred and thirty-two units, \$4,600,000.

Naval Submarine Support Base, Kings Bay, Kingsland, Georgia, two hundred and fifty units, \$11,505,000.

Mountain Home Air Force Base, Idaho, fifty mobile home spaces, \$445,000.

Fort Polk, Louisiana, one hundred and sixty units, \$7,300,000.

Naval Communications Unit, Cutler, Maine, twenty units, \$1,355,000.

Naval Air Station, Fallon, Nevada, seventy units, \$2,820,000.

Nuclear Power Training Unit, Ballston Spa, New York, one hundred units, \$5,541,000.

Defense Attaché Office, Brasilia, Brazil, two units, \$322,000.

Defense Installations, Cairo, Egypt, twenty-one units, \$2,950,000, to be funded by use of excess foreign currency when so provided in Department of Defense Appropriation Acts.

Defense Attaché Office, Helsinki, Finland, six units, \$670,000.

Defense Attaché Office, Kuala Lumpur, Malaysia, two units, \$170,000.

Defense Attaché Office, Oslo, Norway, five units, \$476,000.

Defense Attaché Office, Manila, Philippines, six units, \$502,000.

Defense Attaché Office, Stockholm, Sweden, four units, \$398,000.

Defense Attaché Office, Kinshasa, Zaire, four units, \$350,000.

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

IMPROVEMENT OF EXISTING QUARTERS

SEC. 502. (a) 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, \$18,786,000, of which \$1,000,000 shall be available only for energy conservation projects;

(2) for the Department of the Navy, \$10,768,000, of which \$1,725,000 shall be available only for energy conservation projects;

(3) for the Department of the Air Force, \$31,740,000, of which \$5,807,000 shall be available only for energy conservation projects; and

(4) for the Defense Mapping Agency, \$86,000.

(b) Section 610(a) of the Military Construction Authorization Act, 1968 (Public Law 90-110, 81 Stat. 305), is amended by striking out "\$15,000" in the first sentence and inserting in lieu thereof "\$20,000".

(c) The Secretary of Defense, or his designee, within the amounts specified in subsection (a) of this section, is authorized to accomplish repairs and improvements to existing public quarters in amounts in excess of the \$20,000 limitation prescribed in section 610(a) of the Military Construction Authorization Act, 1968 (Public Law 90-110, 81 Stat. 305), as follows:

Elmendorf Air Force Base, Alaska, two hundred and sixty-four units, \$2,904,000.

Marine Barracks, Washington, District of Columbia, one unit, \$80,000.

Marine Corps Development and Education Command, Quantico, Virginia, forty-eight units, \$1,117,400.

Ramstein Air Base (Vogelweh-Landstuhl), Federal Republic of Germany, ninety-six units, \$1,680,200.

Ramstein Air Base, Federal Republic of Germany, three hundred and sixty units, \$8,151,600.

Rhein-Main Air Base, Federal Republic of Germany, four hundred and twenty-four units, \$9,215,000.

Vilseck, Federal Republic of Germany, eight substandard units, \$244,500.

LEASING OF FAMILY HOUSING

SEC. 503. (a) Section 2686(c) of title 10, United States Code, relating to leases for military family housing, is amended—

(1) by striking out “\$280” and “\$450” in paragraph (1) and inserting in lieu thereof “\$300” and “\$475”, respectively; and

(2) by striking out “\$350” and “\$450” in paragraph (2) and inserting in lieu thereof “\$370” and “\$475”, respectively.

(b) Section 2675(d) of title 10, United States Code, relating to leases in foreign countries, is amended—

(1) by striking out “\$435” and “\$760” in the first sentence of paragraph (1) and inserting in lieu thereof “\$485” and “\$850”, respectively; and

(2) by striking out “15,000” in paragraph (2) and inserting in lieu thereof “18,000”.

SETTLEMENT OF CLAIMS

SEC. 504. (a) Notwithstanding the provisions of any other law, the Secretary of the Air Force is authorized to settle claims regarding construction of public quarters at Wright-Patterson Air Force Base, Ohio, in the amount of \$500,000 plus interest from December 6, 1977, at the rate established by the Secretary of the Treasury pursuant to Public Law 92-41 (85 Stat. 97).

(b) Notwithstanding the provisions of any other public law, the Secretary of the Navy is authorized to settle claims regarding construction of public quarters at the Naval Complex, South Philadelphia, Pennsylvania, in the amount of \$1,750,000.

AUTHORIZATION OF APPROPRIATIONS

SEC. 505. There is authorized to be appropriated for fiscal year 1979 in a Military Construction Appropriation Act 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 of, or acquisition of sole interest in, family housing, including demolition, authorized improvements to public quarters, minor construction, relocation of family housing, rental guarantee payments, and planning, an amount not to exceed \$139,105,000.

(2) For support of military family housing, including operating expenses, leasing, maintenance of real property, payments of principal and interest on mortgage debts incurred, payment to the Commodity Credit Corporation, and mortgage insurance premiums authorized under section 222 of the National Housing Act (12 U.S.C. 1715m), an amount not to exceed \$1,562,500,000.

HOUSING FOR NAVAL STATION, ADAK, ALASKA

91 Stat. 369.

SEC. 506. Section 501 (c) of the Military Construction Authorization Act, 1978, is amended by striking out "\$8,500,000" in the item relating to the Naval Station, Adak, Alaska, and inserting in lieu thereof "\$10,500,000".

TITLE VI—AUTHORIZATION OF APPROPRIATIONS AND ADMINISTRATIVE 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 lands 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.

AUTHORIZATION OF APPROPRIATIONS

SEC. 602. There are authorized to be appropriated for fiscal year 1979 such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, IV, and V, shall not exceed—

(1) for title I: inside the United States \$487,853,000; outside the United States \$228,026,000; minor construction \$35,365,000; for a total of \$751,244,000.

(2) for title II: inside the United States \$690,885,000; outside the United States \$59,763,000; minor construction \$39,662,000; for a total of \$790,310,000.

(3) for title III: inside the United States, \$423,059,000; outside the United States, \$68,963,000; minor construction \$30,721,000; for a total of \$522,743,000.

(4) for title IV: a total of \$217,610,000, including \$13,044,000 for minor construction.

(5) for title V: military family housing, \$1,701,605,000.

COST VARIATIONS

SEC. 603. (a) OVERALL TITLE TOTAL LIMITATION.—Notwithstanding the provisions of subsections (a), (b), (c), and (g), the total cost of all construction and acquisition in each of titles I, II, III, and IV may not exceed the total amount authorized to be appropriated in that title.

(b) VARIATIONS IN INSTALLATION TOTALS—UNUSUAL VARIATIONS IN COST.—Except as provided in subsections (c) and (d), any of the amounts specified in titles I, II, III, and IV of this Act (other than in sections 103, 203, 303, and 403) 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 Alaska or Hawaii), and by 10 per centum when outside the United States or in Alaska or Hawaii, if he determines that such increase (1) is required for the sole purpose of meeting unusual variations in cost, and (2) could not have been reasonably anticipated at the time such estimate was submitted to the Congress.

(c) VARIATIONS IN INSTALLATION TOTALS—ONLY ONE PROJECT AT AN INSTALLATION.—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 (b), 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.

(d) VARIATIONS IN INSTALLATION TOTALS—REPORTS BY THE SECRETARY OF DEFENSE.—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 (b) and (c) 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 the date of submission of such report, or (2) both committees have indicated approval of such construction or acquisition. Notwithstanding the provisions in prior Military Construction Authorization Acts, the provisions of this subsection shall apply to such prior Acts.

(e) COST AND SCOPE VARIATIONS OF INDIVIDUAL PROJECTS; REPORTS TO CONGRESS.—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 reduction in scope or increase in cost, has been submitted to the Committees on Armed Services of the Senate and House of Representatives, and either thirty days have elapsed from the date of submission of such report, or both committees have indicated approval of such reduction in scope or increase in cost, as the case may be.

(f) ANNUAL REPORT TO CONGRESS.—The Secretary of Defense shall submit an annual report to the Congress identifying each individual project (other than a project authorized under section 103, 203, 303, or 403) 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.

(g) **COST AND FLOOR AREA VARIATIONS—SOLAR ENERGY.**—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 order to equip any project authorized by this Act with solar heating equipment, solar cooling equipment, or both solar heating and solar cooling equipment, the Secretary of Defense may authorize increases in the cost limitations or floor area limitations for such project by such amounts as may be necessary for such purpose. Any increase under this section in the cost or floor area of a project authorized by this Act shall be in addition to any other increase in such cost or variation in floor area limitations authorized by this or any other Act.

(h) **COST VARIATIONS—MINOR CONSTRUCTION.**—(1) The first sentence of section 2674(b) of title 10, United States Code, relating to minor construction projects, is amended to read as follows: "This section does not authorize a project costing more than \$500,000, except that the cost authorized for a project may be increased above \$500,000 by not more than 10 percent of the original approved cost of such project if the Secretary of Defense determines—

"(1) that such an increase is required for the sole purpose of meeting unusual variations in cost, and

"(2) that such variations in cost could not have been reasonably anticipated at the time the project was originally approved."

(2) The amendment made by this subsection shall take effect on October 1, 1978.

Effective date.
10 USC 2674
note.

CONSTRUCTION SUPERVISION

SEC. 604. Contracts for construction made by the United States for performance within the United States and its possessions under this Act shall be executed under the jurisdiction and supervision of the Corps of Engineers, Department of the Army; the Naval Facilities Engineering Command, Department of the Navy; or such other department or Government agency as the Secretaries of the military departments recommend and the Secretary of Defense approves to assure the most efficient, expeditious, and cost-effective accomplishment of the construction herein authorized. The Secretaries of the military departments shall report annually to the President of the Senate and 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

Report to
Congress.

10 USC 2301 *et*
seq.
Report to
Congress.

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 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 October 1, 1979, all authorizations for military public works, including family housing, to be accomplished by the Secretary of a military department in connection with the establishment or development of installations and facilities, and all authorizations for appropriations therefor, that are contained in titles I, II, III, IV, and V of the Military Construction Authorization Act, 1978 (Public Law 95-82; 91 Stat. 358), and all such authorizations contained in Acts approved before August 1, 1977, 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; and

(2) authorizations for public works projects as to which appropriated funds have been obligated for construction contracts, land acquisition, or payments to the North Atlantic Treaty Organization, in whole or in part, before October 1, 1979, and authorizations for appropriations therefor.

(b) Notwithstanding the repeal provisions of subsection (a) of this section and section 605 of the Military Construction Authorization Act, 1978 (Public Law 95-82; 91 Stat. 358), authorizations for the following items shall remain in effect until October 1, 1980:

(1) Medical Facility construction in the amount of \$2,014,000 at Fort Drum, New York, authorized in section 101 of the Military Construction Authorization Act, 1977 (Public Law 94-431; 90 Stat. 1349).

(2) Barracks Building construction in the amount of \$5,100,000 at Fort Drum, New York, authorized in section 101 of the Military Construction Authorization Act, 1977 (Public Law 94-431; 90 Stat. 1349).

(3) Effluent Land Irrigation System construction in the amount of \$6,933,000 at Fort Ord, California, authorized in section 101 of the Military Construction Authorization Act, 1977 (Public Law 94-431; 90 Stat. 1349).

(4) Sulphuric Acid Regenerator construction in the amount of \$15,238,000 at the Sunflower Army Ammunition Plant, Kansas, authorized in section 101 of the Military Construction Authorization Act, 1977 (Public Law 94-431; 90 Stat. 1350).

(5) Cold Storage Warehouse construction in the amount of \$1,215,000 at Fort Dix, New Jersey, authorized in section 101 of the Military Construction Authorization Act, 1973 (Public Law 92-545; 86 Stat. 1135), and extended in section 605(3)(B) of the Military Construction Authorization Act, 1975 (Public Law 93-552; 88 Stat. 1762), and in section 605(b)(2) of the Military Construction Authorization Act, 1977 (Public Law 94-431; 90 Stat. 1363).

(6) Solid Waste System construction in the amount of \$300,000 at the Naval Submarine Base, New London, Connecticut, authorized in section 201 of the Military Construction Authorization Act, 1977 (Public Law 94-431; 90 Stat. 1352).

(7) Naval Historical Center construction in the amount of \$1,300,000 at Headquarters, Naval District of Washington, District of Columbia, authorized in section 201 of the Military Construction Authorization Act, 1977 (Public Law 94-431; 90 Stat. 1352).

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 projects 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) \$45 per square foot for permanent barracks; or
- (2) \$48 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 cost 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 VII—GUARD AND RESERVE FORCES FACILITIES

AUTHORIZATION FOR FACILITIES

10 USC 2231 *et seq.*

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

- (1) For the Department of the Army—
 - (A) for the Army National Guard of the United States, \$47,300,000; and
 - (B) for the Army Reserve, \$27,400,000.
- (2) For the Department of the Navy, for the Naval and Marine Corps Reserves, \$19,350,000.
- (3) For the Department of the Air Force—
 - (A) for the Air National Guard of the United States, \$39,350,000; and
 - (B) for the Air Force Reserve, \$11,400,000.

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 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.

TITLE VIII—GENERAL PROVISIONS

ADVANCE REPORTS TO CONGRESS OF CERTAIN ADVANCE PLANNING AND CONSTRUCTION DESIGN COSTS

SEC. 801. Section 612 of the Military Construction Authorization Act, 1967 (31 U.S.C. 723a), relating to advance planning and design projects, is amended by striking out “\$225,000” and inserting in lieu thereof “\$250,000”.

TRANSMISSION OF ANNUAL MILITARY CONSTRUCTION AUTHORIZATION REQUEST TO CONGRESS

SEC. 802. (a) (1) Chapter 131 of title 10, United States Code, is amended by adding at the end thereof the following new section:

10 USC 2201 *et seq.*

“§ 2212. **Transmission of annual military construction authorization request**

10 USC 2212.

“The Secretary of Defense shall transmit to the Congress the annual request for military construction authorization for a fiscal year during the first ten days after the President transmits to the Congress the Budget for such fiscal year pursuant to section 201 of the Budget and Accounting Act, 1921 (31 U.S.C. 11).”

(2) The table of sections at the beginning of chapter 131 of title 10, United States Code, is amended by adding at the end thereof the following new item:

“2212. **Transmission of annual military construction authorization request.”**

(b) The amendments made by subsection (a) shall apply with respect to fiscal year 1980 and each fiscal year thereafter.

10 USC 2212 note.

DEVELOPMENT OF SOURCES OF ENERGY ON MILITARY LANDS

SEC. 803. (a) The Secretary of each military department may develop for the use or benefit of the Department of Defense any geothermal energy resource within lands under his jurisdiction other than public lands administered by the Secretary of the Interior.

30 USC 1002a.

(b) (1) If the Secretary of a military department determines that it is in the interest of the Government to do so, he may contract, for a period not to exceed thirty years, for the provision and operation of energy production facilities on real property under his jurisdiction and for the purchase of energy produced from such facilities, except that no such contract may be made for the development of energy resources derived from nuclear or fossil fuel sources.

(2) Any contract under paragraph (1) may be made only—

(A) after the approval of the Secretary of Defense of the proposed contract; and

(B) after the Committees on Armed Services of the Senate and House of Representatives have been notified of the terms of the proposed contract, including the dollar value of such contract and the amount of energy to be delivered to the Government under such contract.

Notification to congressional committees.

(c) This section shall take effect on October 1, 1978.

Effective date.
30 USC 1002a note.

REQUIREMENT FOR USE OF SOLAR ENERGY SYSTEMS

SEC. 804. (a) Effective ninety days after the date of the enactment of this Act, the Secretary of Defense shall require that 25 per centum,

42 USC 5504a.

based on the estimated dollar value of the construction cost, of all new facilities except family housing that are placed under design shall include solar energy systems to the extent that engineering analyses demonstrate is cost effective.

(b) Effective on the date of the enactment of this Act, the Secretary of Defense shall require that all family housing authorized for construction shall include solar energy systems to the extent that engineering analyses demonstrate is cost effective.

(c) For the purposes of this section, a solar energy system shall be considered to be cost effective if the original investment cost differential can be recovered over the expected life of the facility.

BASE CLOSURE AND REALIGNMENT AMENDMENT

SEC. 805. Clause (B) of paragraph (1) of section 2687(d) of title 10, United States Code, is amended by striking out "five hundred" and inserting in lieu thereof "three hundred".

REAL ESTATE, PEASE AIR FORCE BASE

SEC. 806. No official acting on behalf of the Department of Defense or any of the military departments shall purchase, or directly or indirectly negotiate for the purchase of, any of the land contiguous to the existing boundaries of Pease Air Force Base, New Hampshire, without the express authorization of the Congress.

LAND CONVEYANCE, MEMPHIS, TENNESSEE

SEC. 807. (a) The Secretary of the Navy (hereinafter in this section referred to as the "Secretary") is authorized to convey to Plough Inc., a Delaware corporation with principal offices in the city of Memphis, Tennessee, all right, title, and interest of the United States in and to the land and improvements which comprise the Marine Corps Reserve Center, Memphis, Tennessee. Such conveyance shall be made subject to such terms and conditions as the Secretary considers appropriate, but may not be made until a replacement facility for such Reserve Center is available in accordance with subsection (b).

(b) (1) In consideration for such conveyance by the Secretary under subsection (a), Plough Inc.—

(A) shall make available to the Secretary funds for the purchase of land and the purchase or making of improvements on such land which are acceptable to the Secretary as a replacement facility for such Marine Corps Reserve Center; or

(B) shall convey to the United States unencumbered fee simple title to land in the area of Memphis, Tennessee, which contains improvements acceptable to the Secretary as a replacement facility for such Marine Corps Reserve Center.

(2) In addition, Plough Inc., as a further condition of the conveyance under subsection (a), shall pay to the Secretary the cost of the relocation of the such Marine Corps Reserve Center from the facility on the land conveyed by the Secretary under subsection (a) to the facility on the land acquired by the Secretary under this subsection.

(c) The replacement facility to be provided under subsection (b) shall be designed to meet the current and foreseeable future requirements of the Marine Corps Reserve in and around Memphis, Tennessee, as determined by the Secretary.

Funds,
availability.

(d) Funds made available under subsections (b) (1) and (2), and land conveyed under subsection (b) (1), shall be subject to terms and conditions which shall be agreed upon by the Secretary and Plough Inc. and which the Secretary considers to be in the public interest. If the cost of the replacement facility is less than the replacement cost or fair market value, whichever is greater, of the existing facility of such Marine Corps Reserve Center, Plough Inc. shall pay the amount of the difference between such costs to the United States, and such amount shall be deposited in the Treasury as miscellaneous receipts.

(e) The exact acreage and legal description of any land conveyed under this section shall be determined by surveys which are satisfactory to the Secretary.

(f) The Secretary is authorized to accept any land conveyed, or any funds made available, to the United States under subsection (b), and any such land shall be administered by the Secretary and any such funds may be obligated and disbursed by the Secretary. The authority under this section to place improvements on land (including site preparation) may be exercised before title to the land is approved under section 355 of the Revised Statutes (40 U.S.C. 255).

LAND CONVEYANCE, NICEVILLE, FLORIDA

SEC. 808. (a) Subject to subsection (b), the Secretary of the Air Force (hereinafter in this section referred to as the "Secretary") is authorized to convey to the city of Niceville, Florida (hereinafter in this section referred to as the "City"), all right, title, and interest of the United States in and to the land described in subsection (c).

(b) (1) The conveyance authorized in subsection (a) shall be made only if not later than one year after the date of the enactment of this Act, the City—

(A) conveys land to the United States which has a fair market value which is not less than the fair market value of the land authorized to be conveyed in subsection (a);

(B) pays the United States an amount of money equal to such fair market value; or

(C) conveys land and pays an amount of money to the United States which in total equals an amount which is not less than such fair market value.

(2) If such land is used for any purpose other than a cemetery which is operated on a nonprofit basis, title to such land shall revert to the United States.

(3) The Secretary shall include in any instrument making such conveyance terms which will carry out the provisions of paragraph (2).

(c) The land referred to in subsection (a) is a portion of Eglin Air Force Base, Florida, containing 48.59 acres, more or less.

(d) The exact acreage and legal description of any land conveyed under this section shall be determined by surveys which are satisfactory to the Secretary.

LAND CONVEYANCE, OKALOOSA COUNTY, FLORIDA

SEC. 809. (a) Subject to subsection (b), the Secretary of the Air Force (hereinafter in this section referred to as the "Secretary") is authorized to convey to the Air Force Enlisted Men's Widows and Dependents Home Foundation, Incorporated (hereinafter in this section referred to as the "Foundation"), of Washington, District of Columbia, all right, title, and interest of the United States in and to the

land described in subsection (c). Such conveyance shall be made subject to such terms and conditions as the Secretary considers appropriate to carry out the provisions of this section.

(b) (1) In consideration for such conveyance made by the Secretary under subsection (a), the Foundation shall—

(A) convey land to the United States which has a fair market value which is not less than the fair market value of the land authorized to be conveyed in subsection (a);

(B) pay the United States an amount of money equal to such fair market value; or

(C) convey land and pay an amount of money to the United States which in total equals an amount which is not less than such fair market value.

(2) If the land conveyed under subsection (a) is not used as a permanent location for facilities of the Foundation before the end of the ten-year period beginning on the date on which such land is conveyed, title to such land shall revert to the United States.

(3) If such reversion occurs, the Secretary shall pay to the Foundation an amount of money equal to 50 per centum of the fair market value of the land reverting to the United States. Such fair market value shall be determined as of the date on which such land was conveyed to the Foundation by the Secretary.

(4) No construction shall be started on such land until plans for such construction are approved by the Secretary.

(5) Notwithstanding sections 2733 of title 10, United States Code, sections 1346 and 2672 of title 28, United States Code, and section 715 of title 32, United States Code, the United States shall not be liable to the Foundation for any damage to, or diminution in value of, the land conveyed pursuant to this section or improvements thereon, if such damage or diminution of value is caused by any activity of the United States at Eglin Air Force Base.

(c) The land referred to in subsection (a) is a portion of Eglin Air Force Base, Florida, composed of two parcels containing a total of seventy-nine acres.

(d) The exact acreage and legal description of any land conveyed under this section shall be determined by surveys which are satisfactory to the Secretary.

LAND CONVEYANCE, KANSAS CITY, MISSOURI

SEC. 810. (a) Subject to subsection (b), the Secretary of the Army (hereinafter in this section referred to as the "Secretary") is authorized to convey to the Central-Wyandotte Development Corp. (hereinafter in this section referred to as the "Corporation") of Kansas City, Missouri, subject to such terms and conditions as the Secretary considers appropriate, all right, title, and interests of the United States in and to the following lots, including all improvements on such lots, located in block 4, J. H. McGee's Addition, Kansas City, Jackson County, Missouri:

(1) The south 37½ feet of lot 47.

(2) Lot 48.

(3) The north 17.34 feet of lot 49.

(b) (1) In consideration for such conveyance by the Secretary under subsection (a), the Corporation shall convey to the United States unencumbered fee simple title to the following lots located in block 4, J. H. McGee's Addition, Kansas City, Jackson County, Missouri:

(A) The south 4.84 feet of lot 50.

(B) Lots 51 and 52.

(2) The Corporation shall make improvements on such lots in accordance with requirements of, and subject to the approval of, the Secretary.

(c) If the combined fair market value of the lots to be conveyed to the United States by the Corporation and the improvements made on such lots by the Corporation (and approved by the Secretary) is less than the fair market value of the lots conveyed by the Secretary to the Corporation, the Corporation shall pay the amount of the difference in such fair market values to the Secretary, and such amount shall be deposited in the Treasury as miscellaneous receipts.

(d) The cost of any survey necessary to complete any conveyance under this section shall be paid by the Corporation.

(e) The Secretary is authorized to accept any land conveyed to the United States under subsection (b), and any such land shall be administered by the Secretary.

LAND CONVEYANCE, LOGAN, UTAH

SEC. 811. (a) Subject to subsection (b), the Secretary of the Army (hereinafter in this section referred to as the "Secretary") is authorized to convey to Utah State University (hereinafter in this section referred to as the "University"), an agency of the State of Utah, all right, title, and interest of the United States in and to improvements located on land which is leased from the University by the United States and which is located on the campus of the University in Logan, Cache County, Utah.

(b) (1) In consideration for such conveyance by the Secretary under subsection (a), the University shall—

(A) make improvements, for use as a United States Army Reserve Center, on land owned by the University at Eighteenth North Street and Second East Street, North Logan, Cache County, Utah; and

(B) lease to the Secretary, for a period of ninety-nine years and at a nominal amount of rent, the land upon which such improvements are made.

(2) Such improvements shall be made in accordance with requirements of, and subject to the approval of, the Secretary, except that the value of such improvements shall not be less than the fair market value of the existing United States Army Reserve Center on the land described in subsection (a).

(3) Funds for such improvements shall be provided as follows:

(A) The University shall contribute not less than \$210,000.

(B) The United States shall contribute all additional funds needed to complete such improvements, not to exceed \$501,756, from funds available without fiscal year limitation from the military construction appropriation for the Army Reserve for fiscal year 1978.

LAND CONVEYANCE, HAWAII

SEC. 812. (a) Notwithstanding any other provision of law, the Secretary of the Navy is authorized to convey to the State of Hawaii, subject to the terms and conditions stated in this section and to such other terms and conditions as the Secretary of the Navy considers to be in the public interest, all right, title, and interest of the United States in and to certain land, with improvements thereon, referred to as the Navy Drum Storage Area and as described in subsection (c).

(b) In consideration for the conveyance by the United States of the property described in subsection (c), the State of Hawaii shall pay to the United States an amount which is the greater of (1) the total cost of a replacement facility for the improvements on such property, or (2) the fair market value of the property to be conveyed, as determined by the Secretary of the Navy. The money so paid shall be available for site preparation and construction by the Navy of new storage facilities to replace the Navy Drum Storage Facilities (Ewa Junction), and the Secretary is authorized to accept, hold, obligate, and disburse such money to accomplish such replacement.

(c) The land authorized to be conveyed to the State of Hawaii by subsection (a) is an area of land referred to as the Navy Drum Storage Area and comprising approximately 43.813 acres, including an area designated as the "public works center" and the "naval supply center", together with improvements thereon, as generally depicted on the Real Estate Summary Map, Ewa Junction, Oahu, Hawaii, Department of the Navy (revised December 4, 1975). The exact description and acreage of the land to be conveyed shall be determined by a survey as mutually agreed upon between the State of Hawaii and the Secretary of the Navy.

EFFECTIVE DATE FOR CONVEYANCES

SEC. 813. Sections 807 through 812 shall take effect on October 1, 1978.

Approved September 8, 1978.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 95-1147 (Comm. on Armed Services) and No. 95-1448 (Comm. of Conference).

SENATE REPORT No. 95-847 accompanying S. 3079 (Comm. on Armed Services).

CONGRESSIONAL RECORD, Vol. 124 (1978):

May 22, considered and passed House.

July 12, considered and passed Senate, amended, in lieu of S. 3079.

Aug. 16, House agreed to conference report.

Aug. 17, Senate agreed to conference report.