

Calendar No. 117

105TH CONGRESS
1ST Session

H. R. 2016

[Report No. 105-52]

AN ACT

Making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes.

JULY 9, 1997

Received; read twice and referred to the Committee on Appropriations

JULY 17, 1997

Reported with amendments

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IN THE SENATE OF THE UNITED STATES

JULY 9, 1997

Received; read twice and referred to the Committee on Appropriations

JULY 17, 1997

Reported by Mr. BURNS, with amendments

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

AN ACT

Making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 1998, for military con-
6 struction, family housing, and base realignment and clo-

1 sure functions administered by the Department of De-
2 fense, and for other purposes, namely:

3 MILITARY CONSTRUCTION, ARMY

4 For acquisition, construction, installation, and equip-
5 ment of temporary or permanent public works, military
6 installations, facilities, and real property for the Army as
7 currently authorized by law, including personnel in the
8 Army Corps of Engineers and other personal services nec-
9 essary for the purposes of this appropriation, and for con-
10 struction and operation of facilities in support of the func-
11 tions of the Commander in Chief, ~~\$721,027,000~~
12 ~~\$652,046,000~~, to remain available until September 30,
13 2002: *Provided*, That of this amount, not to exceed
14 ~~\$71,577,000~~ \$77,646,000 shall be available for study,
15 planning, design, architect and engineer services, and host
16 nation support, as authorized by law, unless the Secretary
17 of Defense determines that additional obligations are nec-
18 essary for such purposes and notifies the Committees on
19 Appropriations of both Houses of Congress of his deter-
20 mination and the reasons therefor.

21 MILITARY CONSTRUCTION, NAVY

22 For acquisition, construction, installation, and equip-
23 ment of temporary or permanent public works, naval in-
24 stallations, facilities, and real property for the Navy as
25 currently authorized by law, including personnel in the

1 Naval Facilities Engineering Command and other per-
2 sonal services necessary for the purposes of this appropria-
3 tion, ~~\$685,306,000~~ \$605,756,000, to remain available until
4 September 30, 2002: *Provided*, That of this amount, not
5 to exceed ~~\$46,659,000~~ \$46,489,000 shall be available for
6 study, planning, design, architect and engineer services,
7 as authorized by law, unless the Secretary of Defense de-
8 termines that additional obligations are necessary for such
9 purposes and notifies the Committees on Appropriations
10 of both Houses of Congress of his determination and the
11 reasons therefor.

12 MILITARY CONSTRUCTION, AIR FORCE

13 For acquisition, construction, installation, and equip-
14 ment of temporary or permanent public works, military
15 installations, facilities, and real property for the Air Force
16 as currently authorized by law, ~~\$662,305,000~~
17 \$662,305,000, to remain available until September 30,
18 2002: *Provided*, That of this amount, not to exceed
19 ~~\$45,880,000~~ \$48,880,000 shall be available for study,
20 planning, design, architect and engineer services, as au-
21 thorized by law, unless the Secretary of Defense deter-
22 mines that additional obligations are necessary for such
23 purposes and notifies the Committees on Appropriations
24 of both Houses of Congress of his determination and the
25 reasons therefor.

1 MILITARY CONSTRUCTION, DEFENSE-WIDE

2 (INCLUDING TRANSFER OF FUNDS)

3 For acquisition, construction, installation, and equip-
4 ment of temporary or permanent public works, installa-
5 tions, facilities, and real property for activities and agen-
6 cies of the Department of Defense (other than the military
7 departments), as currently authorized by law,
8 ~~\$613,333,000~~ \$690,889,000, to remain available until Sep-
9 tember 30, 2002: *Provided*, That such amounts of this ap-
10 propriation as may be determined by the Secretary of De-
11 fense may be transferred to such appropriations of the De-
12 partment of Defense available for military construction or
13 family housing as he may designate, to be merged with
14 and to be available for the same purposes, and for the
15 same time period, as the appropriation or fund to which
16 transferred: *Provided further*, That of the amount appro-
17 priated, not to exceed ~~\$34,350,000~~ \$52,450,000 shall be
18 available for study, planning, design, architect and engi-
19 neer services, as authorized by law, unless the Secretary
20 of Defense determines that additional obligations are nec-
21 essary for such purposes and notifies the Committees on
22 Appropriations of both Houses of Congress of his deter-
23 mination and the reasons therefor.

1 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the Army National Guard, and contribu-
5 tions therefor, as authorized by chapter 133 of title 10,
6 United States Code, and military construction authoriza-
7 tion Acts, ~~\$45,098,000~~ \$234,614,000, to remain available
8 until September 30, 2002.

9 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

10 For construction, acquisition, expansion, rehabilita-
11 tion, and conversion of facilities for the training and ad-
12 ministration of the Air National Guard, and contributions
13 therefor, as authorized by chapter 133 of title 10, United
14 States Code, and military construction authorization Acts,
15 ~~\$137,275,000~~ \$185,115,000, to remain available until Sep-
16 tember 30, 2002.

17 MILITARY CONSTRUCTION, ARMY RESERVE

18 For construction, acquisition, expansion, rehabilita-
19 tion, and conversion of facilities for the training and ad-
20 ministration of the Army Reserve as authorized by chapter
21 133 of title 10, United States Code, and military construc-
22 tion authorization Acts, ~~\$77,731,000~~ \$96,079,000, to re-
23 main available until September 30, 2002.

1 MILITARY CONSTRUCTION, NAVAL RESERVE

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the reserve components of the Navy and
5 Marine Corps as authorized by chapter 133 of title 10,
6 United States Code, and military construction authoriza-
7 tion Acts, ~~\$40,561,000~~ *\$21,111,000*, to remain available
8 until September 30, 2002.

9 MILITARY CONSTRUCTION, AIR FORCE RESERVE

10 For construction, acquisition, expansion, rehabilita-
11 tion, and conversion of facilities for the training and ad-
12 ministration of the Air Force Reserve as authorized by
13 chapter 133 of title 10, United States Code, and military
14 construction authorization Acts, ~~\$27,143,000~~ *\$31,830,000*,
15 to remain available until September 30, 2002.

16 NORTH ATLANTIC TREATY ORGANIZATION

17 SECURITY INVESTMENT PROGRAM

18 For the United States share of the cost of the North
19 Atlantic Treaty Organization Security Investment Pro-
20 gram for the acquisition and construction of military fa-
21 cilities and installations (including international military
22 headquarters) and for related expenses for the collective
23 defense of the North Atlantic Treaty Area as authorized
24 in military construction authorization Acts and section

1 2806 of title 10, United States Code, ~~\$166,300,000~~
 2 ~~\$152,600,000~~, to remain available until expended.

3 FAMILY HOUSING, ARMY

4 For expenses of family housing for the Army for con-
 5 struction, including acquisition, replacement, addition, ex-
 6 pansion, extension and alteration and for operation and
 7 maintenance, including debt payment, leasing, minor con-
 8 struction, principal and interest charges, and insurance
 9 premiums, as authorized by law, as follows: for Construc-
 10 tion, ~~\$202,131,000~~ ~~\$167,100,000~~, to remain available until
 11 September 30, 2002; for Operation and Maintenance, and
 12 for debt payment, ~~\$1,148,937,000~~ ~~\$1,149,937,000~~; in all
 13 ~~\$1,351,068,000~~ ~~\$1,317,037,000~~.

14 FAMILY HOUSING, NAVY AND MARINE CORPS

15 For expenses of family housing for the Navy and Ma-
 16 rine Corps for construction, including acquisition, replace-
 17 ment, addition, expansion, extension and alteration and
 18 for operation and maintenance, including debt payment,
 19 leasing, minor construction, principal and interest
 20 charges, and insurance premiums, as authorized by law,
 21 as follows: for Construction, ~~\$409,178,000~~ ~~\$362,619,000~~,
 22 to remain available until September 30, 2002; for Oper-
 23 ation and Maintenance, and for debt payment,
 24 ~~\$976,504,000~~; in all ~~\$1,385,682,000~~ ~~\$1,339,123,000~~.

1 FAMILY HOUSING, AIR FORCE

2 For expenses of family housing for the Air Force for
3 construction, including acquisition, replacement, addition,
4 expansion, extension and alteration and for operation and
5 maintenance, including debt payment, leasing, minor con-
6 struction, principal and interest charges, and insurance
7 premiums, as authorized by law, as follows: for Construc-
8 tion, ~~\$341,409,000~~ \$296,633,000, to remain available until
9 September 30, 2002; for Operation and Maintenance, and
10 for debt payment, \$830,234,000; in all ~~\$1,171,643,000~~
11 \$1,126,867,000.

12 FAMILY HOUSING, DEFENSE-WIDE

13 For expenses of family housing for the activities and
14 agencies of the Department of Defense (other than the
15 military departments) for construction, including acquisi-
16 tion, replacement, addition, expansion, extension and al-
17 teration, and for operation and maintenance, leasing, and
18 minor construction, as authorized by law, as follows: for
19 Construction, \$4,950,000, to remain available until Sep-
20 tember 30, 2002; for Operation and Maintenance,
21 \$32,724,000; in all \$37,674,000.

22 BASE REALIGNMENT AND CLOSURE ACCOUNT, PART II

23 For deposit into the Department of Defense Base
24 Closure Account 1990 established by section 2906(a)(1)
25 of the Department of Defense Authorization Act, 1991

1 (Public Law 101–510), \$116,754,000, to remain available
2 until expended: *Provided*, That not more than
3 \$105,224,000 of the funds appropriated herein shall be
4 available solely for environmental restoration, unless the
5 Secretary of Defense determines that additional obliga-
6 tions are necessary for such purposes and notifies the
7 Committees on Appropriations of both Houses of Congress
8 of his determination and the reasons therefor.

9 BASE REALIGNMENT AND CLOSURE ACCOUNT, PART III

10 For deposit into the Department of Defense Base
11 Closure Account 1990 established by section 2906(a)(1)
12 of the Department of Defense Authorization Act, 1991
13 (Public Law 101–510), \$768,702,000, to remain available
14 until expended: *Provided*, That not more than
15 \$398,499,000 of the funds appropriated herein shall be
16 available solely for environmental restoration, unless the
17 Secretary of Defense determines that additional obliga-
18 tions are necessary for such purposes and notifies the
19 Committees on Appropriations of both Houses of Congress
20 of his determination and the reasons therefor.

21 BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV

22 For deposit into the Department of Defense Base
23 Closure Account 1990 established by section 2906(a)(1)
24 of the Department of Defense Authorization Act, 1991
25 (Public Law 101–510), \$1,175,398,000, to remain avail-

1 able until expended: *Provided*, That not more than
2 \$353,604,000 of the funds appropriated herein shall be
3 available solely for environmental restoration, unless the
4 Secretary of Defense determines that additional obliga-
5 tions are necessary for such purposes and notifies the
6 Committees on Appropriations of both Houses of Congress
7 of his determination and the reasons therefor.

8 GENERAL PROVISIONS

9 SEC. 101. None of the funds appropriated in Military
10 Construction Appropriations Acts shall be expended for
11 payments under a cost-plus-a-fixed-fee contract for work,
12 where cost estimates exceed \$25,000, to be performed
13 within the United States, except Alaska, without the spe-
14 cific approval in writing of the Secretary of Defense set-
15 ting forth the reasons therefor: *Provided*, That the fore-
16 going shall not apply in the case of contracts for environ-
17 mental restoration at an installation that is being closed
18 or realigned where payments are made from a Base Re-
19 alignment and Closure Account.

20 SEC. 102. Funds appropriated to the Department of
21 Defense for construction shall be available for hire of pas-
22 senger motor vehicles.

23 SEC. 103. Funds appropriated to the Department of
24 Defense for construction may be used for advances to the
25 Federal Highway Administration, Department of Trans-

1 portation, for the construction of access roads as author-
2 ized by section 210 of title 23, United States Code, when
3 projects authorized therein are certified as important to
4 the national defense by the Secretary of Defense.

5 SEC. 104. None of the funds appropriated in this Act
6 may be used to begin construction of new bases inside the
7 continental United States for which specific appropria-
8 tions have not been made.

9 SEC. 105. No part of the funds provided in Military
10 Construction Appropriations Acts shall be used for pur-
11 chase of land or land easements in excess of 100 per cen-
12 tum of the value as determined by the Army Corps of En-
13 gineers or the Naval Facilities Engineering Command, ex-
14 cept (1) where there is a determination of value by a Fed-
15 eral court, or (2) purchases negotiated by the Attorney
16 General or his designee, or (3) where the estimated value
17 is less than \$25,000, or (4) as otherwise determined by
18 the Secretary of Defense to be in the public interest.

19 SEC. 106. None of the funds appropriated in Military
20 Construction Appropriations Acts shall be used to (1) ac-
21 quire land, (2) provide for site preparation, or (3) install
22 utilities for any family housing, except housing for which
23 funds have been made available in annual Military Con-
24 struction Appropriations Acts.

1 SEC. 107. None of the funds appropriated in Military
2 Construction Appropriations Acts for minor construction
3 may be used to transfer or relocate any activity from one
4 base or installation to another, without prior notification
5 to the Committees on Appropriations.

6 SEC. 108. No part of the funds appropriated in Mili-
7 tary Construction Appropriations Acts may be used for
8 the procurement of steel for any construction project or
9 activity for which American steel producers, fabricators,
10 and manufacturers have been denied the opportunity to
11 compete for such steel procurement.

12 SEC. 109. None of the funds available to the Depart-
13 ment of Defense for military construction or family hous-
14 ing during the current fiscal year may be used to pay real
15 property taxes in any foreign nation.

16 SEC. 110. None of the funds appropriated in Military
17 Construction Appropriations Acts may be used to initiate
18 a new installation overseas without prior notification to
19 the Committees on Appropriations.

20 SEC. 111. None of the funds appropriated in Military
21 Construction Appropriations Acts may be obligated for ar-
22 chitect and engineer contracts estimated by the Govern-
23 ment to exceed \$500,000 for projects to be accomplished
24 in Japan, in any NATO member country, or in countries
25 bordering the Arabian Gulf, unless such contracts are

1 awarded to United States firms or United States firms
2 in joint venture with host nation firms.

3 SEC. 112. None of the funds appropriated in Military
4 Construction Appropriations Acts for military construc-
5 tion in the United States territories and possessions in the
6 Pacific and on Kwajalein Atoll, or in countries bordering
7 the Arabian Gulf, may be used to award any contract esti-
8 mated by the Government to exceed \$1,000,000 to a for-
9 eign contractor: *Provided*, That this section shall not be
10 applicable to contract awards for which the lowest respon-
11 sive and responsible bid of a United States contractor ex-
12 ceeds the lowest responsive and responsible bid of a for-
13 eign contractor by greater than 20 per centum: *Provided*
14 *further*, That this section shall not apply to contract
15 awards for military construction on Kwajalein Atoll for
16 which the lowest responsive and responsible bid is submit-
17 ted by a Marshallese contractor.

18 SEC. 113. The Secretary of Defense is to inform the
19 appropriate Committees of Congress, including the Com-
20 mittees on Appropriations, of the plans and scope of any
21 proposed military exercise involving United States person-
22 nel thirty days prior to its occurring, if amounts expended
23 for construction, either temporary or permanent, are an-
24 ticipated to exceed \$100,000.

1 obligated from funds available for military construction
2 projects, and (2) do not exceed the amount appropriated
3 for such project, plus any amount by which the cost of
4 such project is increased pursuant to law.

5 (TRANSFER OF FUNDS)

6 SEC. 118. During the five-year period after appro-
7 priations available to the Department of Defense for mili-
8 tary construction and family housing operation and main-
9 tenance and construction have expired for obligation, upon
10 a determination that such appropriations will not be nec-
11 essary for the liquidation of obligations or for making au-
12 thorized adjustments to such appropriations for obliga-
13 tions incurred during the period of availability of such ap-
14 propriations, unobligated balances of such appropriations
15 may be transferred into the appropriation “Foreign Cur-
16 rency Fluctuations, Construction, Defense” to be merged
17 with and to be available for the same time period and for
18 the same purposes as the appropriation to which trans-
19 ferred.

20 SEC. 119. The Secretary of Defense is to provide the
21 Committees on Appropriations of the Senate and the
22 House of Representatives with an annual report by Feb-
23 ruary 15, containing details of the specific actions pro-
24 posed to be taken by the Department of Defense during
25 the current fiscal year to encourage other member nations
26 of the North Atlantic Treaty Organization, Japan, Korea,

1 and United States allies bordering the Arabian Gulf to as-
2 sume a greater share of the common defense burden of
3 such nations and the United States.

4 (TRANSFER OF FUNDS)

5 SEC. 120. During the current fiscal year, in addition
6 to any other transfer authority available to the Depart-
7 ment of Defense, proceeds deposited to the Department
8 of Defense Base Closure Account established by section
9 207(a)(1) of the Defense Authorization Amendments and
10 Base Closure and Realignment Act (Public Law 100–526)
11 pursuant to section 207(a)(2)(C) of such Act, may be
12 transferred to the account established by section
13 2906(a)(1) of the Department of Defense Authorization
14 Act, 1991, to be merged with, and to be available for the
15 same purposes and the same time period as that account.

16 ~~SEC. 121. No funds appropriated pursuant to this~~
17 ~~Act may be expended by an entity unless the entity agrees~~
18 ~~that in expending the assistance the entity will comply~~
19 ~~with sections 2 through 4 of the Act of March 3, 1933~~
20 ~~(41 U.S.C. 10a–10e, popularly known as the “Buy Amer-~~
21 ~~ican Act”).~~

22 SEC. 122. (a) In the case of any equipment or prod-
23 ucts that may be authorized to be purchased with financial
24 assistance provided under this Act, it is the sense of the
25 Congress that entities receiving such assistance should, in

1 expending the assistance, purchase only American-made
2 equipment and products.

3 (b) In providing financial assistance under this Act,
4 the Secretary of the Treasury shall provide to each recipi-
5 ent of the assistance a notice describing the statement
6 made in subsection (a) by the Congress.

7 (TRANSFER OF FUNDS)

8 SEC. 123. During the current fiscal year, in addition
9 to any other transfer authority available to the Depart-
10 ment of Defense, amounts may be transferred from the
11 account established by section 2906(a)(1) of the Depart-
12 ment of Defense Authorization Act, 1991, to the fund es-
13 tablished by section 1013(d) of the Demonstration Cities
14 and Metropolitan Development Act of 1966 (42 U.S.C.
15 3374) to pay for expenses associated with the Home-
16 owners Assistance Program. Any amounts transferred
17 shall be merged with and be available for the same pur-
18 poses and for the same time period as the fund to which
19 transferred.

20 SEC. 124. Notwithstanding any other provision of
21 law, appropriations made available to the Department of
22 Defense Family Housing Improvement Fund shall be the
23 sole source of funds available for planning, administrative,
24 and oversight costs incurred by the Department of De-
25 fense relating to military family housing initiatives and
26 military unaccompanied housing initiatives undertaken

1 pursuant to the provisions of subchapter IV of chapter
2 169, title 10, United States Code, pertaining to alternative
3 means of acquiring and improving military family housing,
4 military unaccompanied housing, and supporting facilities.

5 *SEC. 125. (a) In addition to any reductions required*
6 *by this Act, the following funds are hereby reduced from*
7 *the following accounts in this Act in the specified*
8 *amounts—*

9 *“Military Construction, Army”, \$2,000,000;*

10 *“Military Construction, Navy”, \$3,000,000;*

11 *“Military Construction, Air Force”, \$4,000,000;*

12 *“Military Construction, Defense-wide”,*
13 *\$5,000,000;*

14 *“NATO Security Investment Program”,*
15 *\$1,000,000;*

16 *“Base Realignment and Closure Account, Part*
17 *III”, \$8,000,000;*

18 *“Base Realignment and Closure Account, Part*
19 *IV”, \$8,000,000.*

20 *(b) The reductions taken pursuant to subsection (a)*
21 *shall be applied on a pro-rata basis by project and activity.*

22 *SEC. 126. Notwithstanding any other provision of law,*
23 *from the funds appropriated in this Act for Military Con-*
24 *struction, Army, the Secretary of the Army is directed to*
25 *complete, using an Unspecified Minor Construction project,*

1 *the Special Forces (Diver) Training Facility at Key West*
2 *Naval Air Station, Florida, as authorized in the Military*
3 *Construction Authorization Act for Fiscal Years 1990 and*
4 *1991 (Public Law 101–189).*

5 *SEC. 127. (a) LEASE OF PROPERTY AUTHORIZED.—*
6 *(1) Notwithstanding any other provision of law, the Sec-*
7 *retary of the Navy (hereinafter referred to as the “Sec-*
8 *retary”)* may lease, without monetary consideration, to the
9 *city and county of Honolulu (hereinafter referred to as the*
10 *“city”)* a parcel of land consisting of approximately 300
11 *acres on Waipio Peninsula, Honolulu, Hawaii (hereinafter*
12 *referred to as the “parcel”).*

13 *(b) RELATED EASEMENT.—The Secretary may also*
14 *grant, without monetary consideration, an easement on,*
15 *over, under and across that certain real property known*
16 *as Waipio Point Access Road for access to and operation*
17 *of the parcel.*

18 *(c) TERM.—The term of the lease and easement author-*
19 *ized under this section shall be fifty (50) years.*

20 *(d) CONDITION OF USE.—The lease and easement au-*
21 *thorized under subsections (a) and (b) shall be subject to*
22 *the following conditions:*

23 *(1) The city shall use the parcel for development*
24 *and operation of a public soccer park and related rec-*

1 *reational facilities, and for other civic and public*
2 *purposes as may be approved by the Secretary.*

3 (2) *Facilities developed on the parcel shall be for*
4 *public use and benefit; however, usage fees may be*
5 *charged to defray facility operating and maintenance*
6 *costs.*

7 (3) *The city shall comply with all explosive safe-*
8 *ty criteria affecting the city's use of the lease and*
9 *easement areas, as established by the Secretary in*
10 *connection with the explosive safety areas supporting*
11 *the ordinance handling wharves located at West Loch*
12 *Branch, Naval Magazine, Lualualei, Hawaii.*

13 (4) *The city shall, at its own cost and to the sat-*
14 *isfaction of the Secretary, make any and all improve-*
15 *ments to Waipio Point Access Road which the city de-*
16 *termines are necessary to provide onstreet parking*
17 *along said road, and adequate access to the parcel, in-*
18 *cluding, but not limited to, any necessary appur-*
19 *tenant utility and drainage improvements. During*
20 *the term of said easement, the cost of maintenance, re-*
21 *pair and replacement of said road and improvements*
22 *shall be borne by the city.*

23 (5) *The city shall install a non-potable irriga-*
24 *tion water delivery system to service the parcel, and*
25 *in doing so, the city shall size transmission lines ca-*

1 *pable of delivering approximately 2.5 million addi-*
2 *tional gallons of irrigation water per day to agricul-*
3 *tural lands on Waipio Peninsula under the control of*
4 *the Secretary.*

5 *(e) TERMINATION.—If the Secretary determines at any*
6 *time that the parcel is not being used for a purpose specified*
7 *in subsection (d)(1), the lease and easement authorized*
8 *under subsections (a) and (b) may be terminated, and all*
9 *right, title, and interest in and to such real property, in-*
10 *cluding any improvements thereon, shall revert to the Unit-*
11 *ed States, and the United States shall have the right of im-*
12 *mediate entry thereon.*

13 *(f) EFFECT OF EXPIRATION OF LEASE.—Unless other-*
14 *wise specifically provided for in this section, at the end of*
15 *the lease and easement term, the city shall either convey,*
16 *without reimbursement, to the United States, all right, title,*
17 *and interest of the city in and to the improvements subject*
18 *to said lease and easement, or restore, to the extent prac-*
19 *ticable, the lease and easement areas to the satisfaction of*
20 *the Secretary.*

21 *(g) DESCRIPTION OF PROPERTY.—The exact acreage*
22 *and legal description of the property subject to this section*
23 *shall be determined by a survey satisfactory to the Sec-*
24 *retary. The cost of such survey shall be borne by the city.*

1 (h) *ADDITIONAL TERMS AND CONDITIONS.*—*The Sec-*
2 *retary may require such additional terms and conditions*
3 *in connection with the lease and easement to be granted*
4 *under this section as the Secretary considers appropriate*
5 *to protect the interests of the United States.*

6 *SEC. 128. (a) Not later than 60 days before issuing*
7 *any solicitation for a contract with the private sector for*
8 *military family housing or military unaccompanied hous-*
9 *ing, the Secretary of the military department concerned*
10 *shall submit to the congressional defense committees the no-*
11 *tice described in subsection (b).*

12 *(b)(1) A notice referred to in subsection (a) is a notice*
13 *of any guarantee (including the making of mortgage or*
14 *rental payments) proposed to be made by the Secretary to*
15 *the private party under the contract involved in the event*
16 *of—*

17 *(A) the closure or realignment of the installation*
18 *for which housing is provided under the contract;*

19 *(B) a reduction in force of units stationed at*
20 *such installation; or*

21 *(C) the extended deployment overseas of units*
22 *stationed at such installation.*

23 *(2) Each notice under this subsection shall specify the*
24 *nature of the guarantee involved and assess the extent and*

1 *likelihood, if any, of the liability of the Federal Government*
2 *with respect to the guarantee.*

3 *(c) In this section, the term “congressional defense*
4 *committees” means the following:*

5 *(1) The Committee on Armed Services and the*
6 *Defense Subcommittee, Committee on Appropriations*
7 *of the Senate.*

8 *(2) The Committee on National Security and*
9 *The National Security Subcommittee, Committee on*
10 *Appropriations of the House of Representatives.*

11 This Act may be cited as the “Military Construction
12 Appropriations Act, 1998”.

Passed the House of Representatives July 8, 1997.

Attest:

Clerk.