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3-15-66



Public Law 89-367
89th Congress, H. R. 12889
March 15, 1966

An Act

MARJORIE BROWNE

W / 197
FILE SUBJ.

DATE SUB-CAT.

3-66

80 STAT. 36

To authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes.

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

TITLE I—PROCUREMENT

SEC. 101. In addition to the funds authorized to be appropriated under Public Law 89-37 there is hereby authorized to be appropriated during the fiscal year 1966 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles in amounts as follows:

Armed Forces.
Supplemental
appropriation
authorization,
1966.
79 Stat. 127.

AIRCRAFT

For aircraft: for the Army, \$825,600,000; for the Navy and the Marine Corps, \$738,300,000; for the Air Force, \$1,585,700,000.

MISSILES

For missiles: for the Army, \$64,000,000; for the Navy, \$26,200,000; for the Marine Corps, \$27,500,000; for the Air Force, \$63,700,000.

TRACKED COMBAT VEHICLES

For tracked combat vehicles: for the Army, \$75,800,000; for the Marine Corps, \$10,900,000.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 201. In addition to the funds authorized to be appropriated under Public Law 89-37 there is hereby authorized to be appropriated during fiscal year 1966 for the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law, in amounts as follows:

For the Army, \$27,995,000;

For the Navy (including the Marine Corps), \$52,570,000;

For the Air Force, \$71,085,000.

TITLE III—MILITARY CONSTRUCTION

SEC. 301. The Secretary of each military department 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, which are necessary in connection with military activities in southeast Asia, or in support of such activities, in the total amount as follows:

Department of the Army, \$509,700,000;

Department of the Navy, \$304,300,000; and

Department of the Air Force, \$274,100,000.

SEC. 302. 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 to acquire, construct,

Development of
facilities for
southeast Asia.

Vital security
facilities.

80 STAT. 37

Land improve-
ments, etc.70A Stat. 269,
590.

Contracts.

70A Stat. 132.

Appropriation,
limitation.Funds, avail-
ability for
Vietnamese
forces, etc.Report to con-
gressional com-
mittees.Construction,
projects descrip-
tion and esti-
mates.Report to con-
gressional com-
mittees.

convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of \$200,000,000.

SEC. 303. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3618 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774(d) and 9771(d) 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.

SEC. 304. Whenever—

(1) the President determines that compliance with section 2313(b) of title 10, United States Code, for contracts made under this Act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this Act; and

(2) the Secretary of Defense and the Comptroller General have agreed upon alternative methods of adequately auditing those contracts;

the President may exempt those contracts from the requirements of that section.

SEC. 305. There are authorized to be appropriated such sums as may be necessary for the purposes of this title, but the appropriations for public works authorized by sections 301 and 302 shall not exceed—

(1) for section 301: Department of the Army, \$509,700,000; Department of the Navy, \$304,300,000; Department of the Air Force, \$274,100,000, or a total of \$1,088,100,000.

(2) for section 302: a total of \$200,000,000.

TITLE IV—GENERAL PROVISIONS

SEC. 401. (a) Funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes in connection with support of Vietnamese and other free world forces in Vietnam, and related costs, during the fiscal years 1966 and 1967, on such terms and conditions as the Secretary of Defense may determine.

(b) Within 30 days after the end of each quarter, the Secretary of Defense shall render to the Committees on Armed Services and Appropriations of the Senate and the House of Representatives a report with respect to the estimated value by country of support furnished from appropriations authorized to be made under this subsection.

(c) The Secretary of Defense shall furnish to the Committees on Armed Services of the Senate and House of Representatives a description of all construction projects, including cost estimates and periodic reports, made available to the Secretary of Defense simultaneously with the receipt of such information from the persons responsible for the construction of such projects in support of Vietnamese and other free world forces in Vietnam. Whenever such construction projects, involving \$1,000,000 or more, are performed by private contractors, the Secretary of Defense or his representative in Vietnam shall report to the Committees on Armed Services of the Senate and House of

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Representatives the name or names of such private contractors, the amounts involved in each contract, a copy of the report in support of each progress payment, and a complete report prior to final payment.

(d) The Secretary of Defense shall also furnish to the Armed Services Committees of the Senate and House of Representatives complete information regarding the alternative methods of adequately auditing contracts which he and the Comptroller General have agreed upon prior to the execution of any contract which would waive the provisions of section 2313(b) of title 10, United States Code.

Auditing of
contracts.

70A Stat. 132.

Approved March 15, 1966.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 1293 (Comm. on Armed Services) and No. 1312 (Comm. of Conference).

SENATE REPORT No. 992 accompanying S. 2791 (Comm. on Armed Services).

CONGRESSIONAL RECORD, Vol. 112 (1966):

Feb. 16-18, 21, 23-26, 28: S. 2791 considered in Senate.

Mar. 1: Considered and passed House; considered and passed Senate, amended, in lieu of S. 2791.

Mar. 10: House and Senate agreed to conference report.