

PUBLIC LAW 104-201—SEPT. 23, 1996

NATIONAL DEFENSE AUTHORIZATION ACT  
FOR FISCAL YEAR 1997

Public Law 104-201  
104th Congress

An Act

Sept. 23, 1996  
[H.R. 3230]

To authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

National Defense  
Authorization  
Act for Fiscal  
Year 1997.

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "National Defense Authorization Act for Fiscal Year 1997".

**SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.**

(a) **DIVISIONS.**—This Act is organized into three divisions as follows:

- (1) Division A—Department of Defense Authorizations.
- (2) Division B—Military Construction Authorizations.
- (3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title.  
Sec. 2. Organization of Act into divisions; table of contents.  
Sec. 3. Congressional defense committees defined.

**DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**

**TITLE I—PROCUREMENT**

**Subtitle A—Authorization of Appropriations**

- Sec. 101. Army.  
Sec. 102. Navy and Marine Corps.  
Sec. 103. Air Force.  
Sec. 104. Defense-wide activities.  
Sec. 105. Reserve components.  
Sec. 106. Defense Inspector General.  
Sec. 107. Chemical Demilitarization Program.  
Sec. 108. Defense health programs.

**Subtitle B—Army Programs**

- Sec. 111. Repeal of limitation on procurement of Armed Kiowa Warrior helicopters.  
Sec. 112. Multiyear procurement authority for Army programs.  
Sec. 113. Bradley TOW 2 Test Program sets.

**Subtitle C—Navy Programs**

- Sec. 121. Nuclear attack submarine programs.  
Sec. 122. Arleigh Burke class destroyer program.  
Sec. 123. EA-6B aircraft reactive jammer program.  
Sec. 124. T-39N trainer aircraft for the Navy.  
Sec. 125. Penguin missile program.

- Sec. 2602. Authorization and funding for construction and improvement of Naval Reserve Centers.  
 Sec. 2603. Upgrade Air National Guard facilities, Bangor International Airport, Maine.

#### TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

- Sec. 2701. Expiration of authorizations and amounts required to be specified by law.  
 Sec. 2702. Extension of authorizations of certain fiscal year 1994 projects.  
 Sec. 2703. Extension of authorizations of certain fiscal year 1993 projects.  
 Sec. 2704. Extension of authorizations of certain fiscal year 1992 projects.  
 Sec. 2705. Effective date.

#### TITLE XXVIII—GENERAL PROVISIONS

##### Subtitle A—Military Construction Program and Military Family Housing Changes

- Sec. 2801. Increase in certain thresholds for unspecified minor construction projects.  
 Sec. 2802. Redesignation of North Atlantic Treaty Organization Infrastructure program.  
 Sec. 2803. Improvements to family housing units.  
 Sec. 2804. Availability of funds for planning, execution, and administration of contracts for family housing and unaccompanied housing.

##### Subtitle B—Defense Base Closure and Realignment

- Sec. 2811. Restoration of authority for certain intragovernment transfers under 1988 base closure law.  
 Sec. 2812. Contracting for certain services at facilities remaining on closed installations.  
 Sec. 2813. Authority to compensate owners of manufactured housing.  
 Sec. 2814. Additional purpose for which adjustment and diversification assistance is authorized.  
 Sec. 2815. Payment of stipulated penalties assessed under CERCLA in connection with Loring Air Force Base, Maine.  
 Sec. 2816. Plan for utilization, reutilization, or disposal of Mississippi Army Ammunition Plant.

##### Subtitle C—Land Conveyances

###### PART I—ARMY CONVEYANCES

- Sec. 2821. Transfer of lands, Arlington National Cemetery, Arlington, Virginia.  
 Sec. 2822. Land transfer, Fort Sill, Oklahoma.  
 Sec. 2823. Land conveyance, Army Reserve Center, Rushville, Indiana.  
 Sec. 2824. Land conveyance, Army Reserve Center, Anderson, South Carolina.  
 Sec. 2825. Land conveyance, Army Reserve Center, Montpelier, Vermont.  
 Sec. 2826. Land conveyance, Crafts Brothers Reserve Training Center, Manchester, New Hampshire.  
 Sec. 2827. Land conveyance, Pine Bluff Arsenal, Arkansas.  
 Sec. 2828. Reaffirmation of land conveyances, Fort Sheridan, Illinois.

###### PART II—NAVY CONVEYANCES

- Sec. 2831. Land transfer, Potomac Annex, District of Columbia.  
 Sec. 2832. Land exchange, St. Helena Annex, Norfolk Naval Shipyard, Virginia.  
 Sec. 2833. Land conveyance, Calverton Pine Barrens, Naval Weapons Industrial Reserve Plant, Calverton, New York.  
 Sec. 2834. Land conveyance, former naval reserve facility, Lewes, Delaware.  
 Sec. 2835. Modification of land conveyance authority, Naval Reserve Center, Seattle, Washington.  
 Sec. 2836. Release of condition on reconveyance of transferred land, Guam.  
 Sec. 2837. Lease to facilitate construction of Reserve center, Naval Air Station, Meridian, Mississippi.

###### PART III—AIR FORCE CONVEYANCES

- Sec. 2841. Land conveyance, Radar Bomb Scoring Site, Belle Fourche, South Dakota.  
 Sec. 2842. Conveyance of primate research complex and Air Force-owned chimpanzees, Holloman Air Force Base, New Mexico.

###### PART IV—OTHER CONVEYANCES

- Sec. 2851. Land conveyance, Tatum Salt Dome Test Site, Mississippi.

at Holloman Air Force Base, New Mexico. The disposal may include the chimpanzees owned by the Air Force that are housed at or managed from the primate research complex. The disposal shall not include the underlying real property on which the primate research complex is located. The disposal of the primate research complex shall be at no cost to the Air Force.

(b) **COMPETITIVE, NEGOTIATED DISPOSAL PROCESS REQUIRED.**—The Secretary shall select the persons or entities to which the primate research complex and chimpanzees are to be disposed of under subsection (a) using a competitive, negotiated process.

(c) **STANDARDS TO BE USED IN SOLICITATION OF BIDS.**—The Secretary shall develop standards for the care and use of the primate research complex, and of the chimpanzees, to be used in soliciting bids for the disposal authorized by subsection (a). The Secretary shall develop such standards in consultation with the Secretary of Agriculture and the Director of the National Institutes of Health.

(d) **CONDITIONS OF DISPOSAL.**—The disposal authorized by subsection (a) shall be subject to the following conditions:

(1) That a recipient of any chimpanzees—

(A) utilize such chimpanzees only for scientific research or medical research purposes; or

(B) retire and provide adequate care for such chimpanzees.

(2) That any recipient of chimpanzees, or the primate research complex, take such chimpanzees, or the primate research complex, subject to any existing leases or other encumbrances at the time of the disposal.

(e) **DESCRIPTION OF COMPLEX AND CHIMPANZEES.**—The exact legal description of the primate research complex and chimpanzees to be disposed of under subsection (a) shall be determined by a survey or other means satisfactory to the Secretary. The cost of any survey or other services performed at the direction of the Secretary under the authority in the preceding sentence shall be borne by the recipient of the property concerned.

(f) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the disposal under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

## PART IV—OTHER CONVEYANCES

### SEC. 2851. LAND CONVEYANCE, TATUM SALT DOME TEST SITE, MISSISSIPPI.

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of Energy may convey, without compensation, to the State of Mississippi (in this section referred to as the “State”) the property known as the Tatum Salt Dome Test Site, as generally depicted on the map of the Department of Energy numbered 301913.104.02 and dated June 25, 1993.

(b) **CONDITION ON CONVEYANCE.**—The conveyance under this section shall be subject to the condition that the State use the conveyed property as a wildlife refuge and working demonstration forest.

(c) **DESIGNATION.**—The property to be conveyed is hereby designated as the “Jamie Whitten Forest Management Area”.

(d) **RETAINED RIGHTS.**—The conveyance under this section shall be subject to each of the following rights to be retained by the United States:

(1) Retention by the United States of subsurface estates below the property conveyed.

(2) Retention by the United States of rights of access, by easement or otherwise, for such purposes as the Secretary considers appropriate, including access to monitoring wells for sampling.

(3) Retention by the United States of the right to install wells additional to those identified in the remediation plan for the property to the extent such additional wells are considered necessary by the Secretary to monitor potential pathways of contaminant migration. Such wells shall be in such locations as specified by the Secretary.

(e) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

**SEC. 2852. LAND CONVEYANCE, WILLIAM LANGER JEWEL BEARING PLANT, ROLLA, NORTH DAKOTA.**

(a) **CONVEYANCE AUTHORIZED.**—The Administrator of General Services may convey, without consideration, to the Job Development Authority of the City of Rolla, North Dakota (in this section referred to as the “Authority”), all right, title, and interest of the United States in and to a parcel of real property, with improvements thereon and all associated personal property, consisting of approximately 9.77 acres and comprising the William Langer Jewel Bearing Plant in Rolla, North Dakota.

(b) **CONDITION OF CONVEYANCE.**—The conveyance authorized under subsection (a) shall be subject to the condition that the Authority—

(1) use the real and personal property and improvements conveyed under that subsection for economic development relating to the jewel bearing plant;

(2) enter into an agreement with an appropriate public or private entity or person to lease such property and improvements to that entity or person for such economic development; or

(3) enter into an agreement with an appropriate public or private entity or person to sell such property and improvements to that entity or person for such economic development.

(c) **PREFERENCE FOR DOMESTIC DISPOSAL OF JEWEL BEARINGS.**—

(1) In offering to enter into agreements pursuant to any provision of law for the disposal of jewel bearings from the National Defense Stockpile, the President shall give a right of first refusal on all such offers to the Authority or to the appropriate public or private entity or person with which the Authority enters into an agreement under subsection (b).

President.

(2) For the purposes of this section, the term “National Defense Stockpile” means the stockpile provided for in section 4 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98(c)).

(d) **AVAILABILITY OF FUNDS FOR MAINTENANCE AND CONVEYANCE OF PLANT.**—Notwithstanding any other provision of law, funds available under the Department of Defense Appropriations Act, 1995 (Public Law 103-335), in fiscal year 1995 for the maintenance