

“(14) establish and operate programs in the interdisciplinary training of health personnel for the provision of emergency medical services, with particular emphasis on the establishment and operation of training programs affording clinical experience in emergency medical services systems receiving assistance under title XII of this Act.”

(c) Section 774(a)(1)(D) of such Act (42 U.S.C. 295f-4(a)(1)(D)) is amended by inserting “(including emergency medical services)” after “services” each time it appears.

85 Stat. 446.

STUDY

SEC. 4. The Secretary of Health, Education, and Welfare shall conduct a study to determine the legal barriers to the effective delivery of medical care under emergency conditions. The study shall include consideration of the need for a uniform conflict of laws rule prescribing the law applicable of the provision of emergency medical services to persons in the course of travels on interstate common carriers. Within twelve months of the date of the enactment of this Act, the Secretary shall report to the Congress the results of such study and recommendations for such legislation as may be necessary to overcome such barriers and provide such rule.

Report to Congress.

Approved November 16, 1973.

Public Law 93-155

AN ACT

November 16, 1973
[H. R. 9286]

To authorize appropriations during the fiscal year 1974 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each active duty component and of the Selected Reserve of each reserve component of the Armed Forces, and the military training student loads, and for other purposes.

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

Department of
Defense Appro-
priation Authori-
zation Act, 1974.

TITLE I—PROCUREMENT

SEC. 101. Funds are hereby authorized to be appropriated during the fiscal year 1974 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons as authorized by law, in amounts as follows:

Aircraft

For aircraft: for the Army, \$168,000,000; for the Navy and the Marine Corps, \$2,912,600,000 of which amount not to exceed

\$693,100,000 shall be available for an F-14 aircraft program of not less than 50 aircraft, subject to no increase being made in the ceiling price of \$325,000,000 specified in the fiscal year 1974 F-14 contract between the Navy and the primary airframe contractor, except in accordance with the terms of such contract, including the clause providing for normal technical changes; for the Air Force, \$2,964,635,000: *Provided*, That \$158,800,000 of the funds available to the Air Force for aircraft procurement shall be available only for the procurement of twelve F-111F aircraft.

Missiles

For missiles: for the Army, \$565,000,000; for the Navy, \$680,200,000; for the Marine Corps, \$32,300,000; for the Air Force, \$1,519,600,000.

Naval Vessels

For naval vessels: for the Navy, \$3,737,000,000, of which sum \$79,000,000 shall be only for the long lead-time items for the DLGN-41 and DLGN-42. The contracts for the DLGN-41 and the DLGN-42 shall be entered into as soon as practicable unless the President fully advises the Congress that their construction is not in the national interest.

Tracked Combat Vehicles

For tracked combat vehicles: for the Army, \$193,300,000; for the Marine Corps, \$46,200,000.

Torpedoes

For torpedoes and related support equipment: for the Navy, \$203,300,000.

Other Weapons

For other weapons: for the Army, \$44,700,000; for the Navy, \$37,100,000; for the Marine Corps, \$700,000.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 201. Funds are hereby authorized to be appropriated during the fiscal year 1974 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, \$1,983,758,000;

For the Navy (including the Marine Corps), \$2,670,749,000, of which amount \$60,900,000 is authorized only for the Surface Effect Ships program;

For the Air Force, \$3,034,800,000; and

For the Defense Agencies, \$505,578,000, of which \$24,600,000 is authorized for the activities of the Director of Test and Evaluation, Defense.

TITLE III—ACTIVE FORCES

SEC. 301. (a) For the fiscal year beginning July 1, 1973, and ending June 30, 1974, each component of the Armed Forces is authorized an end strength for active duty personnel as follows:

- (1) The Army, 803,806;
- (2) The Navy, 566,320;
- (3) The Marine Corps, 196,419;
- (4) The Air Force, 666,357.

(b) The end strength for active duty personnel prescribed in subsection (a) of this section for the fiscal year ending June 30, 1974, shall be reduced by 43,000. Such reduction shall be apportioned among the Army, Navy, Marine Corps, and Air Force in such manner as the Secretary of Defense shall prescribe, except that in applying any portion of such reduction to any military department, the reduction shall be applied to the maximum extent practicable to the support forces of such military department. The Secretary of Defense shall report to the Congress within 60 days after the date of enactment of this Act on the manner in which this reduction is to be apportioned among the military departments and among the mission categories described in the Military Manpower Requirements Report. This report shall include the rationale for each reduction.

(c) The Committee on Armed Services of the House shall report to the House by April 1, 1974, a detailed and independent study on the advisability of maintaining our present military commitment to Europe in view of the current economic and military situation in Europe.

SEC. 302. In computing the authorized end strength for the active duty personnel of any component of the Armed Forces for any fiscal year, there shall not be included in the computation members of the Ready Reserve of such component ordered to active duty under the provisions of section 673 of title 10, United States Code, members of the Army National Guard or members of the Air National Guard called into Federal service under section 3500 or 8500, as the case may be, of title 10, United States Code, members of the militia of any State called into Federal service under chapter 15 of title 10, United States Code, or persons ordered to active duty for training.

SEC. 303. (a) Section 673 of title 10, United States Code, is amended by adding at the end thereof a new subsection as follows:

“(d) Whenever one or more units of the Ready Reserve are ordered to active duty, the President shall, on the first day of the second fiscal year quarter immediately following the quarter in which the first unit or units are ordered to active duty and on the first day of each succeeding six-month period thereafter, so long as such unit is retained on active duty, submit a report to the Congress regarding the necessity for such unit or units being ordered to and retained on active duty. The President shall include in each such report a statement of the mission of each such unit ordered to active duty, an evaluation of such unit’s performance of that mission, where each such unit is being deployed

Reduction.

Report to Congress.

Report to House of Representatives.

Exceptions.

Infra.

70A Stat. 199, 525.

70A Stat. 15;
82 Stat. 841.
10 USC 331.
70A Stat. 28;
72 Stat. 1441.

Presidential report to Congress.

at the time of the report, and such other information regarding each unit as the President deems appropriate.”

Effective date.

(b) The amendment made by subsection (a) of this section shall be effective with respect to any unit of the Ready Reserve ordered to active duty on or after the date of enactment of this Act.

TITLE IV—RESERVE FORCES

SEC. 401. For the fiscal year beginning July 1, 1973, and ending June 30, 1974, the Selected Reserve of each Reserve component of the Armed Forces will be programed to attain an average strength of not less than the following:

- (1) The Army National Guard of the United States, 379,144;
- (2) The Army Reserve, 232,591;
- (3) The Naval Reserve, 119,231;
- (4) The Marine Corps Reserve, 39,735;
- (5) The Air National Guard of the United States, 92,291;
- (6) The Air Force Reserve, 49,773;
- (7) The Coast Guard Reserve, 11,300.

Reduction.

SEC. 402. The average strength prescribed by section 401 of this title for the Selected Reserve of any Reserve component shall be proportionately reduced by (1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at any time during the fiscal year, and (2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at any time during the fiscal year. Whenever such units or such individual members are released from active duty during any fiscal year, the average strength for such fiscal year for the Selected Reserve of such Reserve component shall be proportionately increased by the total authorized strength of such units and by the total number of such individual members.

TITLE V—MILITARY TRAINING STUDENT LOADS

SEC. 501. (a) For the fiscal year beginning July 1, 1973, and ending June 30, 1974, each component of the Armed Forces is authorized an average military training student load as follows:

- (1) The Army, 89,200;
- (2) The Navy, 75,800;
- (3) The Marine Corps, 28,000;
- (4) The Air Force, 55,100;
- (5) The Army National Guard of the United States, 19,100;
- (6) The Army Reserve, 59,900;
- (7) The Naval Reserve, 17,400;
- (8) The Marine Corps Reserve, 6,700;
- (9) The Air National Guard of the United States, 4,600;
- (10) The Air Force Reserve, 24,300;

Reduction.

(b) The average military training student loads for the Army, the Navy, the Marine Corps, and the Air Force prescribed in subsection (a) of this section for the fiscal year ending June 30, 1974, shall be

reduced consistent with the overall reduction in manpower provided for in title III of this Act. Such reduction shall be apportioned among the Army, the Navy, the Marine Corps, and the Air Force in such manner as the Secretary of Defense shall prescribe.

TITLE VI—ANTI-BALLISTIC MISSILE PROGRAM— LIMITATIONS ON DEPLOYMENT

SEC. 601. None of the funds authorized by this or any other Act may be obligated or expended for the purpose of continuing or initiating deployment of an anti-ballistic-missile system at any site except Grand Forks Air Force Base, Grand Forks, North Dakota. Nothing in this section shall be construed as a limitation on the obligation or expenditure of funds in connection with the dismantling of anti-ballistic missile system sites or the cancellation of work at Whiteman Air Force Base, Knob Noster, Missouri, Francis E. Warren Air Force Base, Cheyenne, Wyoming, and Malmstrom Air Force Base, Great Falls, Montana.

Grand Forks
AFB, continu-
ation.

Whiteman,
Warren and
Malmstrom AFB,
dismantling and
cancellation.

TITLE VII—STUDY COMMISSION

DEFENSE MANPOWER COMMISSION

SEC. 701. (a) There is hereby established a commission to be known as the Defense Manpower Commission (hereinafter in this title referred to as the "Commission").

Establishment.

(b) The Commission shall be composed of seven members appointed as follows:

Membership.

(1) One member to be appointed by the majority leader of the Senate;

(2) One member to be appointed by the minority leader of the Senate;

(3) One member to be appointed by the majority leader of the House of Representatives;

(4) One member to be appointed by the minority leader of the House of Representatives; and

(5) Three members to be appointed by the President.

No person may be appointed to the Commission who is a civilian officer or employee of the Federal Government; and no person may be appointed who is serving on active duty with the Armed Forces of the United States.

Restriction.

(c) The Commission shall elect a Chairman and Vice Chairman from among its members.

(d) Four members of the Commission shall constitute a quorum. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

Quorum.
Vacancies.

DUTIES OF THE COMMISSION

SEC. 702. It shall be the duty of the Commission to conduct a comprehensive study and investigation of the overall manpower requirements of the Department of Defense on both a short-term and long-term basis with a view to determining what the manpower requirements are currently and will likely be over the next ten years, and how manpower can be more effectively utilized in the Department of Defense. In carrying out such study and investigation the Commission shall give special consideration to—

Manpower re-
quirements, study
and investigation.

(1) the effectiveness with which civilian and active duty personnel are utilized, particularly in headquarters staffing and in the number of support forces in relation to combat forces;

(2) whether the pay structure, including fringe benefits, is adequate and equitable at all levels;

(3) the distribution of grades within each armed force and the requirements for advancement in grade;

(4) the cost-effectiveness and manpower utilization of the United States Armed Forces as compared with the armed forces of other countries;

(5) whether the military retirement system is consistent with overall Department of Defense requirements and is comparable to civilian retirement plans;

(6) the methods and techniques used to attract and recruit personnel for the armed forces, and whether such methods and techniques might be improved or new and more effective ones utilized;

(7) the implications for the ability of the armed forces to fulfill their mission as a result of the change in the socio-economic composition of military enlistees since the enactment of new recruiting policies provided for in Public Law 92-129 and the implications for national policies of this change in the composition of the armed forces; and

(8) such other matters related to manpower as the Commission deems pertinent to the study and investigation authorized by this title.

85 Stat. 348.

POWERS OF THE COMMISSION

SEC. 703. (a) The Commission or, on the authorization of the Commission, any subcommittee or member thereof may, for the purpose of carrying out the provisions of this title, hold such hearings and sit and act at such times and places as the Commission or such subcommittee or member may deem advisable.

(b) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purposes of this title. Each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

(c) The Commission shall establish appropriate measures to insure the safeguarding of all classified information submitted to or inspected by it in carrying out its duties under this title.

COMPENSATION OF THE COMMISSION

SEC. 704. Each member of the Commission shall receive an amount equal to the daily rate paid a GS-18 under the General Schedule contained in section 5332 of title 5, United States Code (including travel-time), during which he is engaged in the actual performance of his duties as a member of the Commission. Members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

5 USC 5332
note.

Travel
expenses.

STAFF OF THE COMMISSION

SEC. 705. (a) The Commission shall appoint an Executive Director and such other personnel as it deems advisable without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall fix the compensation of such personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General

5 USC 101 et
seq.

5 USC 5101,
5331.

Schedule pay rates; but personnel so appointed may not receive compensation in excess of the rate authorized for GS-18 by section 5332 of such title 5.

(b) The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at GS-18.

(c) The Commission is authorized to enter into contracts with public agencies, private firms, institutions, and individuals for the conduct of research and surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

5 USC 5332
note.

80 Stat. 3109.

Contract author-
ity.

ADMINISTRATIVE SERVICES

SEC. 706. The Administrator of the General Services Administration shall provide administrative services for the Commission on a reimbursable basis.

REPORTS OF THE COMMISSION

SEC. 707. (a) The Commission shall, from time to time, submit interim reports to the Congress and to the President regarding its duties under this title, and shall include in any such reports its findings together with such recommendations for administrative or legislative action as the Commission considers advisable.

Reports to Con-
gress and Presi-
dent.

(b) The Commission shall submit its final report to the Congress and to the President not more than twenty-four months after the appointment of the Commission. Such report shall include all interim reports and the final findings and recommendations of the Commission.

(c) The Commission shall cease to exist sixty days after the submission of its final report.

Termination
date.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 708. There are authorized to be appropriated to the Commission a sum not to exceed \$2,500,000 to carry out the provisions of this title.

TITLE VIII—GENERAL PROVISIONS

SEC. 801. Subsection (a)(1) of section 401 of Public Law 89-367, approved March 15, 1966 (80 Stat. 37), as amended, is hereby amended to read as follows:

Funds, avail-
ability for Viet-
namese and
Laotian forces.

“(a)(1) Not to exceed \$1,126,000,000 of the 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 to support: (A) Vietnamese and other free world forces in support of Vietnamese forces, (B) local forces in Laos; and for related costs, during the fiscal year 1974 on such terms and conditions as the Secretary of Defense may determine. None of the funds appropriated to or for the use of the Armed Forces of the United States may be used for the purpose of paying any overseas allowance, per diem allowance, or any other addition to the regular base pay of any person serving with the free world forces in South Vietnam if the amount of such payment would be greater than the amount of special pay authorized to be paid, for an equivalent period of service, to members of the Armed Forces of the United States (under section 310 of title 37, United States Code) serving in Vietnam or in any other hostile fire area, except for continuation of payments of such additions to regular base pay provided in agreements executed prior to July 1, 1970. Nothing in clause (A) of the first sentence of this paragraph shall be construed as authorizing the use of any such funds to support

77 Stat. 216;
79 Stat. 547.

Cambodia and
Laos.

Vietnamese or other free world forces in actions designed to provide military support and assistance to the Government of Cambodia or Laos: *Provided*, That nothing contained in this section shall be construed to prohibit support of actions required to insure the safe and orderly withdrawal or disengagement of United States forces from Southeast Asia, or to aid in the release of Americans held as prisoners of war."

C-5A funds,
restrictions.

SEC. 802. (a) The amount of \$28,400,000 authorized to be appropriated by this Act for the development and procurement of the C-5A aircraft may be expended only for the reasonable and allocable direct and indirect costs incurred by the prime airframe contractor under a contract entered into with the United States to carry out the C-5A aircraft program. No part of such amount may be used for—

- (1) direct costs of any other contract or activity of the prime contractor;
- (2) profit on any materials, supplies, or services which are sold or transferred between any division, subsidiary, or affiliate of the prime contractor under the common control of the prime contractor and such division, subsidiary, or affiliate;
- (3) bid and proposal costs, independent research and development costs, and the cost of other similar unsponsored technical effort; or
- (4) depreciation and amortization costs in excess of \$1,700,000 on property, plant, or equipment.

Any of the costs referred to in the preceding sentence which would otherwise be allocable to any work funded by such \$28,400,000 may not be allocated to other portions of the C-5A aircraft contract or to any other contract with the United States, but payments to C-5A aircraft subcontractors shall not be subject to the restriction referred to in such sentence.

Special bank
account for pay-
ment.

(b) Any payments from such \$28,400,000 shall be made to the prime contractor through a special bank account from which such contractor may withdraw funds only after a request containing a detailed justification of the amount requested has been submitted to and approved by the contracting officer for the United States. All payments made from such special bank account shall be audited by the Defense Contract Audit Agency of the Department of Defense and, on a quarterly basis, by the General Accounting Office. The Comptroller General shall submit to the Congress not more than thirty days after the close of each quarter a report on the audit for such quarter performed by the General Accounting Office pursuant to this subsection.

Audit.

Report to
Congress.

(c) The restrictions and controls provided for in this section with respect to the \$28,400,000 referred to in subsections (a) and (b) of this section shall be in addition to such other restrictions and controls as may be prescribed by the Secretary of Defense or the Secretary of the Air Force.

76 Stat. 519;
86 Stat. 1318.
10 USC 131.

SEC. 803. (a) Chapter 4 of title 10, United States Code, is amended by adding the following new sections after section 137 and inserting corresponding items in the chapter analysis:

"§ 138. Secretary of Defense: Annual authorization of appropriations for armed forces

"(a) No funds may be appropriated for any fiscal year to or for the use of any armed force or obligated or expended for—

- "(1) procurement of aircraft, missiles, or naval vessels;
- "(2) any research, development, test, or evaluation, or procurement or production related thereto;
- "(3) procurement of tracked combat vehicles;
- "(4) procurement of other weapons; or

“(5) procurement of naval torpedoes and related support equipment;

unless funds therefor have been specifically authorized by law.

“(b) Congress shall authorize the personnel strength of the Selected Reserve of each reserve component of the armed forces. No funds may be appropriated for any fiscal year for the pay and allowances of members of any reserve component of the armed forces unless the personnel strength of the Selected Reserve of that reserve component for that fiscal year has been authorized by law.

Selected Reserve personnel strength.

“(c) (1) Congress shall authorize the end strength as of the end of each fiscal year for active-duty personnel for each component of the armed forces. No funds may be appropriated for any fiscal year to or for the use of the active-duty personnel of any component of the armed forces unless the end strength for active-duty personnel of that component for that fiscal year has been authorized by law.

Active-duty personnel strength.

“(2) Congress shall authorize the end strength as of the end of each fiscal year for civilian personnel for each component of the Department of Defense. No funds may be appropriated for any fiscal year to or for the use of the civilian personnel of any component of the Department of Defense unless the end strength for civilian personnel of that component for that fiscal year has been authorized by law.

Civilian personnel strength.

“(3) The Secretary of Defense shall submit to Congress a written report, not later than February 15 of each fiscal year, recommending the annual active duty end strength level for each component of the armed forces for the next fiscal year and the annual civilian personnel end strength level for each component of the Department of Defense for the next fiscal year, and shall include in that report justification for the strength levels recommended and an explanation of the relationship between the personnel strength levels recommended for that fiscal year and the national security policies of the United States in effect at the time. The justification and explanation shall specify in detail for all military forces, including each land force division, carrier and other major combatant vessel, air wing, and other comparable unit, the—

Report to Congress.

“(A) unit mission and capability;

“(B) strategy which the unit supports; and

“(C) area of deployment and illustrative areas of potential deployment, including a description of any United States commitment to defend such areas.

It shall also include a detailed discussion of (i) the manpower required for support and overhead functions within the armed forces and the Department of Defense, (ii) the relationship of the manpower required for support and overhead functions to the primary combat missions and support policies, and (iii) the manpower required to be stationed or assigned to duty in foreign countries and aboard vessels located outside the territorial limits of the United States, its territories, and possessions.

“(d) (1) Congress shall authorize the average military training student loads for each component of the armed forces. Such authorization is not required for unit or crew training student loads, but is required for student loads for the following individual training categories—

Student military training.

“(A) recruit and specialized training;

“(B) flight training;

“(C) professional training in military and civilian institutions; and

“(D) officer acquisition training.

No funds may be appropriated for any fiscal year for training military personnel in the training categories described in clauses (A)-(D)

of any component of the armed forces unless the average student load of that component for that fiscal year has been authorized by law.

Report to
Congress.

“(2) The Secretary of Defense shall submit to Congress a written report, not later than March 1 of each fiscal year, recommending the average student load for each category of training for each component of the armed forces for the next three fiscal years, and shall include in that report justification for, and explanation of, the average student loads recommended.

“§ 139. Secretary of Defense: weapons development and procurement schedules for armed forces; reports; supplemental reports

Report to
Congress.

64 Stat. 832;
84 Stat. 1169.

Ante, p. 612.

“(a) The Secretary of Defense shall submit to Congress each calendar year, at the same time the President submits the budget to Congress under section 11 of title 31, a written report regarding development and procurement schedules for each weapon system for which fund authorization is required by section 138 (a) of this title, and for which any funds for procurement are requested in that budget. The report shall include data on operational testing and evaluation for each weapon system for which funds for procurement are requested (other than funds requested only for the procurement of units for operational testing and evaluation, or long lead-time items, or both). A weapon system shall also be included in the annual report required under this subsection in each year thereafter until procurement of that system has been completed or terminated, or the Secretary of Defense certifies, in writing, that such inclusion would not serve any useful purpose and gives his reasons therefor.

“(b) The Secretary of Defense shall submit a supplemental report to Congress not less than thirty, or more than sixty, days before the award of any contract, or the exercise of any option in a contract, for the procurement of any such weapon system (other than procurement of units for operational testing and evaluation, or long lead-time items, or both), unless—

“(1) the contractor or contractors for that system have not yet been selected and the Secretary of Defense determines that the submission of that report would adversely affect the source selection process and notifies Congress in writing, prior to such award, of that determination, stating his reasons therefor; or

“(2) the Secretary of Defense determines that the submission of that report would otherwise adversely affect the vital security interests of the United States and notifies Congress in writing of that determination at least thirty days prior to the award, stating his reasons therefor.

“(c) Any report required to be submitted under subsection (a) or (b) shall include detailed and summarized information with respect to each weapon system covered, and specifically include, but not be limited to—

“(1) the development schedule, including estimated annual costs until development is completed;

“(2) the planned procurement schedule, including the best estimate of the Secretary of Defense of the annual costs and units to be procured until procurement is completed; and

“(3) to the extent required by the second sentence of subsection (a), the result of all operational testing and evaluation up to the time of the submission of the report, or, if operational testing and evaluation has not been conducted, a statement of the reasons therefor and the results of such other testing and evaluation as has been conducted.

“(d) In the case of any weapon system for which procurement funds have not been previously requested and for which funds are first

requested by the President in any fiscal year after the Budget for that fiscal year has been submitted to Congress, the same reporting requirements shall be applicable to that system in the same manner and to the same extent as if funds had been requested for that system in that budget."

(b) The following laws are repealed:

(1) section 412 of the Act of August 10, 1959, Public Law 86-149 (73 Stat. 322), as amended by section 2 of the Act of April 27, 1962, Public Law 87-436 (76 Stat. 55); section 610 of the Act of November 7, 1963, Public Law 88-174 (77 Stat. 329); section 304 of the Act of June 11, 1965, Public Law 89-37 (79 Stat. 128); section 6 of the Act of December 1, 1967, Public Law 90-168 (81 Stat. 526); section 405 of the Act of November 19, 1969, Public Law 91-121 (83 Stat. 207); sections 505 and 509 of the Act of October 7, 1970, Public Law 91-441 (84 Stat. 912, 913); section 701 of the Act of September 28, 1971, Public Law 92-129 (85 Stat. 362); and sections 302 and 604 of the Act of September 26, 1972, Public Law 92-436 (86 Stat. 736, 739); and

(2) section 506 of the Act of November 17, 1971, Public Law 92-156 (85 Stat. 429).

SEC. 804. Section 3(b) of Public Law 92-425 (86 Stat. 711) is amended by—

(1) striking out in the first sentence "before the first anniversary of that date" and inserting in lieu thereof "at any time within eighteen months after such date", and

(2) striking out in the second sentence "before the first anniversary of" and inserting in lieu thereof "at any time within eighteen months after".

SEC. 805. Notwithstanding any other provision of law, no funds authorized to be appropriated by this or any other Act may be obligated or expended for the purpose of carrying out directly or indirectly any economic or military assistance for or on behalf of North Vietnam unless specifically authorized by Act of Congress enacted after the date of the enactment of this Act.

SEC. 806. Notwithstanding any other provision of law, upon enactment of this Act, no funds heretofore or hereafter appropriated may be obligated or expended to finance the involvement of United States military forces in hostilities in or over or from off the shores of North Vietnam, South Vietnam, Laos, or Cambodia, unless specifically authorized hereafter by the Congress.

SEC. 807. (a) The first section of the Act entitled "An Act to authorize the making, amendment, and modification of contracts to facilitate the national defense", approved August 28, 1958 (72 Stat. 972; 50 U.S.C. 1431), is amended by adding at the end thereof the following: "The authority conferred by this section may not be utilized to obligate the United States in any amount in excess of \$25,000,000 unless the Committees on Armed Services of the Senate and the House of Representatives have been notified in writing of such proposed obligation and 60 days of continuous session of Congress have expired following the date on which such notice was transmitted to such Committees and neither House of Congress has adopted, within such 60-day period, a resolution disapproving such obligation. For purposes of this section, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of such 60-day period."

(b) (1) The second sentence of section 302 of the Defense Production Act of 1950 (50 App. U.S.C. 2092) is amended by inserting "(1)"

Repeals.
10 USC 133
note.

10 USC 1448
note.

North Vietnam,
assistance, pro-
hibition.

North Vietnam,
South Vietnam,
Laos, Cambodia,
military involve-
ment, prohibition.

64 Stat. 801.

immediately after "except that" and by striking out the period at the end of such section and inserting in lieu thereof a comma and the following: "and (2) no such loan may be made in an amount in excess of \$25,000,000 unless the Committees on Armed Services of the Senate and the House of Representatives have been notified in writing of such proposed loan and 60 days of continuous session of Congress have expired following the date on which such notice was transmitted to such Committees and neither House of Congress has adopted, within such 60-day period, a resolution disapproving such loan."

Ante, p. 615.

(2) Section 302 of such Act is further amended by adding at the end thereof a new sentence as follows: "For purposes of this section, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of such 60-day period."

72 Stat. 967.

(c) Section 2307 of title 10, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(d) Payments under subsection (a) in the case of any contract, other than partial, progress, or other payments specifically provided for in such contract at the time such contract was initially entered into, may not exceed \$25,000,000 unless the Committees on Armed Services of the Senate and the House of Representatives have been notified in writing of such proposed payments and 60 days of continuous session of Congress have expired following the date on which such notice was transmitted to such Committees and neither House of Congress has adopted, within such 60-day period, a resolution disapproving such payments. For purposes of this section, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of such 60-day period."

62 Stat. 625.

(d)(1) Section 18(a) of the Military Selective Service Act (50 U.S.C. App. 468) is amended by inserting before the period at the end of the first sentence a comma and the following: "except that no order which requires payments thereunder in excess of \$25,000,000 shall be placed with any person, unless the Committees on Armed Services of the Senate and the House of Representatives have been notified in writing of such proposed order and 60 days of continuous session of Congress have expired following the date on which such notice was transmitted to such Committees and neither House of Congress has adopted, within such 60-day period, a resolution disapproving such order."

(2) Section 18(a) of such Act is further amended by inserting after the first sentence thereof a new sentence as follows: "For purposes of the preceding sentence, the continuity of a session of Congress is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of such 60-day period."

(e) The amendments made by this section shall not affect the carrying out of any contract, loan, guarantee, commitment, or other obligation entered into prior to the date of enactment of this section.

SEC. 808. None of the funds authorized for appropriation to the Department of Defense pursuant to this Act shall be obligated under a contract entered into after the date of enactment of this Act under any multiyear procurement as defined in section 1-322 of the Armed Services Procurement Regulations (as in effect on September 26, 1972) where the cancellation ceiling for such procurement is in excess of \$5,000,000.

32 CFR 1.322.

SEC. 809. The National Industrial Reserve Act of 1948 (62 Stat. 1225; 50 U.S.C. 451) is amended to read as follows: "That this Act may be cited as the 'Defense Industrial Reserve Act'.

"CONGRESSIONAL DECLARATION OF PURPOSE AND POLICY

"SEC. 2. In enacting this Act, it is the intent of Congress (1) to provide a comprehensive and continuous program for the future safety and for the defense of the United States by providing adequate measures whereby an essential nucleus of Government-owned industrial plants and an industrial reserve of machine tools and other industrial manufacturing equipment may be assured for immediate use to supply the needs of the Armed Forces in time of national emergency or in anticipation thereof; (2) that such Government-owned plants and such reserve shall not exceed in number or kind the minimum requirements for immediate use in time of national emergency, and that any such items which shall become excess to such requirements shall be disposed of as expeditiously as possible; (3) that to the maximum extent practicable, reliance will be placed upon private industry for support of defense production; and (4) that machine tools and other industrial manufacturing equipment may be held in plant equipment packages or in a general reserve to maintain a high state of readiness for production of critical items of defense materiel, to provide production capacity not available in private industry for defense materiel, or to assist private industry in time of national disaster.

"DEFINITIONS

"SEC. 3. As used in this Act—

"(1) The term 'Secretary' means Secretary of Defense.

"(2) The term 'Defense Industrial Reserve' means (A) a general reserve of industrial manufacturing equipment, including machine tools, selected by the Secretary of Defense for retention for national defense or for other emergency use; (B) those industrial plants and installations held by and under the control of the Department of Defense in active or inactive status, including Government-owned/Government-operated plants and installations and Government-owned/contractor-operated plants and installations which are retained for use in their entirety, or in part, for production of military weapons systems, munitions, components, or supplies; (C) those industrial plants and installations under the control of the Secretary which are not required for the immediate need of any department or agency of the Government and which should be sold, leased, or otherwise disposed of.

"(3) The term 'plant equipment package' means a complement of active and idle machine tools and other industrial manufacturing equipment held by and under the control of the Department of Defense and approved by the Secretary for retention to produce particular defense materiel or defense supporting items at a specific level of output in the event of emergency.

"DUTIES OF THE SECRETARY

"SEC. 4. To execute the policy set forth in this Act, the Secretary is authorized and directed to—

"(1) determine which industrial plants and installations (including machine tools and other industrial manufacturing equipment) should become a part of the defense industrial reserve;

“(2) designate what excess industrial property shall be disposed of;

“(3) establish general policies and provide for the transportation, handling, care, storage, protection, maintenance, repair, rebuilding, utilization, recording, leasing and security of such property;

“(4) direct the transfer without reimbursement of such property to other Government agencies with the consent of such agencies;

“(5) direct the leasing of any of such property to designated lessees;

“(6) authorize the disposition in accordance with existing law of any of such property when in the opinion of the Secretary such property is no longer needed by the Department of Defense; and

“(7) authorize and regulate the lending of any such property to any nonprofit educational institution or training school whenever (A) the program proposed by such institution or school for the use of such property will contribute materially to national defense, and (B) such institution or school shall by agreement make such provision as the Secretary shall deem satisfactory for the proper maintenance and care of such property and for its return, without expense to the Government, upon request of the Secretary.

“REPORTS TO CONGRESS

“SEC. 5. The Secretary shall submit to the Congress on or before April 1 of each year a report detailing the action taken under this Act and containing such other pertinent information regarding the status of the defense industrial reserve as will enable the Congress to evaluate the administration of such reserve and the necessity or desirability for any legislative action regarding such reserve.

“AUTHORIZATION FOR APPROPRIATIONS

“SEC. 6. There are authorized to be appropriated such sums as the Congress may from time to time determine to be necessary to enable the Secretary to carry out the provisions of this Act.”

SEC. 810. (a) The Secretary of Defense is authorized and directed to carry out a comprehensive study and investigation to determine the relative status of the Air Force Reserve and the Air National Guard of the United States. In carrying out such study and investigation the Secretary shall quantitatively measure the effects on full costs and on combat capability and readiness, as well as enumerate the military and other advantages and disadvantages of at least the following alternatives: (1) merging the Air Force Reserve into the Air National Guard structure; (2) merging the Air National Guard into the Air Force Reserve structure; and (3) retaining both the Air Force Reserve and the Air National Guard. Such study shall also consider and give equal weight to the modernization needs of the Air National Guard and the Air Force Reserve, including: (1) aircraft; (2) ground equipment; (3) facilities; (4) communication, and (5) other pertinent needs. It shall also consider the related problems of recruiting, training and retaining sufficient manpower of needed quality to man the authorized units.

(b) The Secretary of Defense shall submit to the President and the Congress a detailed report of such study and investigation not later than January 31, 1975. The Secretary shall include in such report a complete evaluation of each of the alternatives specified in subsection

Study and investigation.

Report to President and Congress.

(a) above, and a detailed explanation of the facts and information which serve as the basis for any conclusions stated therein, and shall also include in such report such recommendations for legislative action as he deems appropriate.

SEC. 811. The Congress finds that the Department of Defense, which will use, at its present rate of consumption, an estimated twelve billion gallons of petroleum products in 1973, is one of the largest single consumers of petroleum products in the world, and that a reduction in consumption of such products by the Department of Defense would aid materially in meeting the energy shortages which the United States now faces. It is, therefore, declared to be the sense of the Congress that the Department of Defense should implement a 10 per centum reduction of its consumption of petroleum products except where such a reduction would adversely affect the national security or essential training exercises.

Petroleum products.

SEC. 812. (a) The Congress finds that in order to achieve a more equitable sharing of the costs and expenses arising from commitments and obligations under the North Atlantic Treaty, the President should seek, through appropriate bilateral and multilateral arrangements, payments sufficient in amount to offset fully any balance-of-payment deficit incurred by the United States during the fiscal year ending June 30, 1974, as the result of the deployment of forces in Europe in fulfillment of the treaty commitments and obligations of the United States. This balance-of-payment deficit shall be determined by the Secretary of Commerce in consultation with the Secretary of Defense and the Comptroller General of the United States.

North Atlantic Treaty Organization.

Balance of payments deficit.

(b) In the event that the North Atlantic Treaty Organization members (other than the United States) fail to offset the net balance-of-payment deficit described in subsection (a) prior to the expiration of eighteen months after the date of enactment of this section, no funds may be expended after the expiration of twenty-four months following the date of enactment of this section for the purpose of maintaining or supporting United States forces in Europe in any number greater than a number equal to the average monthly number of United States forces assigned to duty in Europe during the fiscal year ending June 30, 1974, reduced by a percentage figure equal to the percentage figure by which such balance-of-payment deficit during such fiscal year was not offset.

(c) The Congress further finds (1) that the other members of the North Atlantic Treaty Organization should, in order to achieve a more equitable sharing of the cost burden under the treaty, substantially increase their contributions to assist the United States in meeting those added budgeting expenses incurred as the result of maintaining and supporting United States forces in Europe, including, but not limited to, wages paid to local personnel by the United States, recurring expenses incurred in connection with the maintenance and operation of real property, maintenance facilities, supply depots, cold storage facilities, communications systems, and standby operations, and nonrecurring expenses such as the construction and rehabilitation of plants and facilities; (2) that the amount paid by the United States in connection with the North Atlantic Treaty infrastructure program should be reduced to a more equitable amount; and (3) that the President should seek, through appropriate bilateral and multilateral arrangements, a substantial reduction of the amounts paid by the United States in connection with those matters described in (1) and (2) above.

Equitable cost sharing.

Report to
Congress.

(d) The President shall submit to the Congress within ninety days after the date of enactment of this Act, and at the end of each ninety-day period thereafter, a written report informing the Congress of the progress that has been made in implementing the provisions of this section.

Funds, restric-
tions.

SEC. 813. (a) No funds authorized to be appropriated by this Act may be obligated under a contract entered into by the Department of Defense after the date of the enactment of this Act for procurement of goods which are other than American goods unless, under regulations of the Secretary of Defense and subject to the determinations and exceptions contained in title III of the Act of March 3, 1933, as amended (47 Stat. 1520; 41 U.S.C. 10a, 10b), popularly known as the Buy American Act, there is adequate consideration given to—

(1) the bids or proposals of firms located in labor surplus areas in the United States as designated by the Department of Labor which have offered to furnish American goods;

(2) the bids or proposals of small business firms in the United States which have offered to furnish American goods;

(3) the bids or proposals of all other firms in the United States which have offered to furnish American goods;

(4) the United States balance of payments;

(5) the cost of shipping goods which are other than American goods; and

(6) any duty, tariff or surcharge which may enter into the cost of using goods which are other than American goods.

“Goods.”

(b) For purposes of this section, the term “goods which are other than American goods” means (1) an end product which has not been mined, produced, or manufactured in the United States, or (2) an end product manufactured in the United States but the cost of the components thereof which are not mined, produced, or manufactured in the United States exceeds the cost of components mined, produced, or manufactured in the United States.

70A Stat. 146;
76 Stat. 511.
10 USC 2631.

SEC. 814. (a) Chapter 157 of title 10, United States Code, is amended by adding at the end thereof a new section as follows:

“§ 2635. Medical emergency helicopter transportation assistance and limitation of individual liability

“(a) The Secretary of Defense is authorized to assist the Department of Health, Education, and Welfare and the Department of Transportation in providing medical emergency helicopter transportation services to civilians. Any resources provided under this section shall be under such terms and conditions, including reimbursement, as the Secretary of Defense deems appropriate and shall be subject to the following specific limitations:

Limitations.

“(1) Assistance may be provided only in areas where military units able to provide such assistance are regularly assigned, and military units shall not be transferred from one area to another for the purpose of providing such assistance.

“(2) Assistance may be provided only to the extent that it does not interfere with the performance of the military mission.

“(3) The provision of assistance shall not cause any increase in funds required for the operation of the Department of Defense.

“(b) No individual (or his estate) who is authorized by the Department of Defense to perform services under a program established pursuant to subsection (a), and who is acting within the scope of his duties, shall be liable for injury to, or loss of property or personal injury or death which may be caused incident to providing such services.”

(b) The table of sections at the beginning of chapter 157 of title 10, United States Code, is amended by adding at the end thereof the following new item:

“2635. Medical emergency helicopter transportation assistance and limitation on individual liability.”.

SEC. 815. In recognition of the vital contribution of Vice Admiral Hyman G. Rickover (United States Navy, retired) to our national defense and in special recognition of his invaluable guidance, initiative, and perseverance in developing the nuclear submarine, the President is authorized to appoint the said Hyman G. Rickover to the grade of admiral on the retired list with all the rights, privileges, benefits, pay and allowances provided by law for officers appointed to such grade.

Vice Admiral
Hyman G. Rick-
over, USN (Ret.).

SEC. 816. Notwithstanding any other provision of law, the authority provided in section 501 of the Defense Procurement Act of 1970, Act of October 7, 1970, Public Law 91-441 (84 Stat. 909), is hereby extended until December 31, 1975.

SEC. 817. (a) Title 10, United States Code, is amended by adding the following new section at the end of chapter 101:

70A Stat. 119;
85 Stat. 489.
10 USC 2001.

“§ 2004. Detail of commissioned officers of the military departments as students at law schools

“(a) The Secretary of each military department may, under regulations prescribed by the Secretary of Defense, detail commissioned officers of the armed forces as students at accredited law schools, located in the United States, for a period of training leading to the degree of bachelor of laws or juris doctor. No more than twenty-five officers from each military department may commence such training in any single fiscal year.

“(b) To be eligible for detail under subsection (a), an officer must be a citizen of the United States and must—

Eligibility.

“(1) have served on active duty for a period of not less than two years nor more than six years and be in the pay grade O-3 or below as of the time the training is to begin; and

“(2) sign an agreement that unless sooner separated he will—

“(A) complete the educational course of legal training;

“(B) accept transfer or detail as a judge advocate or law specialist within the department concerned when his legal training is completed; and

“(C) agree to serve on active duty following completion or other termination of training for a period of two years for each year or part thereof of his legal training under subsection (a).

“(c) Officers detailed for legal training under subsection (a) shall be selected on a competitive basis by the Secretary of the military department concerned, under regulations prescribed by the Secretary of Defense. Any service obligation incurred by an officer under an agreement entered into under subsection (b) shall be in addition to any service obligation incurred by any such officer under any other provision of law or agreement.

“(d) Expenses incident to the detail of officers under this section shall be paid from any funds appropriated for the military department concerned.

Expenses.

“(e) An officer who, under regulations prescribed by the Secretary of Defense, is dropped from the program of legal training authorized by subsection (a) for deficiency in conduct or studies, or for other reasons, may be required to perform active duty in an appropriate

military capacity in accordance with the active duty obligation imposed by regulations issued by the Secretary of Defense, except that in no case shall any such member be required to serve on active duty for any period in excess of one year for each year or part thereof he participated in the program.

“(f) No agreement detailing any officer of the armed forces to an accredited law school may be entered into during any period that the President is authorized by law to induct persons into the armed forces involuntarily. Nothing in this subsection shall affect any agreement entered into during any period when the President is not authorized by law to so induct persons into the armed forces.”

(b) The table of contents of chapter 101 of title 10, United States Code, is amended by adding the following new item at the end thereof: “2004. Detail of commissioned officers of the military departments as students at law schools.”.

PUBLIC HEALTH SERVICES HOSPITALS

SEC. 818. (a) Except as provided in subsection (b), the Secretary of Health, Education, and Welfare shall take such action as may be necessary to assure that the hospitals of the Public Health Service, located in Seattle, Washington, Boston, Massachusetts, San Francisco, California, Galveston, Texas, New Orleans, Louisiana, Baltimore, Maryland, Staten Island, New York, and Norfolk, Virginia, shall continue—

(1) in operation as hospitals of the Public Health Service,

(2) to provide for all categories of individuals entitled or authorized to receive care and treatment at hospitals or other stations of the Public Health Service inpatient, outpatient, and other health care services in like manner as such services were provided on January 1, 1973, to such categories of individuals at the hospitals of the Public Health Service referred to in the matter preceding paragraph (1) and at a level and range at least as great as the level and range of such services which were provided (or authorized to be provided) by such hospitals on such date, and

(3) to conduct at such hospitals a level and range of other health-related activities (including training and research activities) which is not less than the level and range of such activities which were being conducted on January 1, 1973, at such hospitals.

(b) (1) The Secretary may—

(A) close or transfer control of a hospital of the Public Health Service to which subsection (a) applies,

(B) reduce the level and range of health care services provided at such a hospital from the level and range required by subsection (a) (2) or change the manner in which such services are provided at such a hospital from the manner required by such subsection, or

(C) reduce the level and range of the other health-related activities conducted at such hospital from the level and range required by subsection (a) (3),

if Congress by law (enacted after the date of the enactment of this Act) specifically authorizes such action.

(2) Any recommendation submitted to the Congress for legislation to authorize an action described in paragraph (1) with respect to a hospital of the Public Health Service shall be accompanied by a copy of the written, unqualified approval of the proposed action submitted to the Secretary by each (A) section 314(a) State health planning

agency whose section 314(a) plan covers (in whole or in part) the area in which such hospital is located or which is served by such hospital, and (B) section 314(b) areawide health planning agency whose section 314(b) plan covers (in whole or in part) such area.

(3) For purposes of this subsection, the term "section 314(a) State health planning agency" means the agency of a State which administers or supervises the administration of a State's health planning functions under a State plan approved under section 314(a) of the Public Health Service Act (referred to in paragraph (2) as a "section 314(a) plan"); and the term "section 314(b) areawide health planning agency" means a public or nonprofit private agency or organization which has developed a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b) of that Act (referred to in paragraph (2) as a "section 314(b) plan").

(c) Section 3 of the Emergency Health Personnel Act Amendments of 1972 is repealed.

SEC. 819. This Act may be cited as the "Department of Defense Appropriation Authorization Act, 1974".

Approved November 16, 1973.

Definitions.

80 Stat. 1181;
86 Stat. 1293.
42 USC 246.

Repeal.

86 Stat. 1292.
42 USC 246
note.
Short title.

Public Law 93-156

AN ACT

November 21, 1973
[H. R. 5692]

To amend title 5, United States Code, to revise the reporting requirement contained in subsection (b) of section 1308.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 1308 of title 5, United States Code, is amended to read as follows:

Civil Service
Commission.
Annual reports.
80 Stat. 402.

"(b) The Commission shall annually provide an analysis to Congress of the administration and operation of chapter 41 of this title."

5 USC 4101.

Approved November 21, 1973.

Public Law 93-157

AN ACT

November 21, 1973
[H. R. 4771]

To authorize the District of Columbia Council to regulate and stabilize rents in the District of Columbia.

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 "District of Columbia Rent Control Act of 1973".

District of
Columbia Rent
Control Act of
1973.