

**HEARING; BEFORE THE COMMITTEE ON
NATIONAL SECURITY, HOUSE OF
REPRESENTATIVES, ONE HUNDRED
FOURTH CONGRESS, SECOND SESSION,
MARCH 27, 1996, NO.104-30**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649127856

Hearing before the Committee on National Security, House of Representatives, One Hundred Fourth Congress, second session, March 27, 1996, No.104-30 by Various

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VARIOUS

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[H.N.S.C. No. 104-30]

HEARING
ON
NATIONAL DEFENSE AUTHORIZATION ACT
FOR FISCAL YEAR 1997—H.R. 3230
AND
OVERSIGHT OF PREVIOUSLY AUTHORIZED
PROGRAMS

BEFORE THE
COMMITTEE ON NATIONAL SECURITY
HOUSE OF REPRESENTATIVES
ONE HUNDRED FOURTH CONGRESS
SECOND SESSION

SPECIAL OVERSIGHT PANEL ON MORALE, WELFARE
AND RECREATION HEARING

ON
**TITLE III—OPERATION AND
MAINTENANCE**

HEARING HELD
MARCH 27, 1996



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1997

36-306

SPECIAL OVERSIGHT PANEL ON MORALE, WELFARE, AND RECREATION

JOHN M. MCHUGH, *New York, Chairman*

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H. R. 3230

To authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1997, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 1996

MR. SPENCE (for himself and Mr. DELLUMS) (both by request) introduced the following bill; which was referred to the Committee on National Security

A BILL

To authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1997, and for other purposes.

* * * * *
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".

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

Funds are hereby authorized to be appropriated for fiscal year 1997 for the use of the Armed Forces of the United States and other activities and agencies of the Department of Defense, for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

- (1) For the Army, \$18,114,479,000.
- (2) For the Navy, \$20,196,197,000.
- (3) For the Marine Corps, \$2,203,777,000.
- (4) For the Air Force, \$17,913,455,000.
- (5) For the Defense Agencies, \$10,156,468,000.
- (6) For the Army Reserve, \$1,084,436,000.
- (7) For the Naval Reserve, \$843,927,000.
- (8) For the Marine Corps Reserve, \$99,667,000.
- (9) For the Air Force Reserve, \$1,488,553,000.
- (10) For the Army National Guard, \$2,208,477,000.
- (11) For the Air National Guard, \$2,654,473,000.
- (12) For the Defense Inspector General, \$136,501,000.
- (13) For Drug Interdiction and Counter-drug Activities, Defense, \$642,724,000.

- (14) For the United States Court of Appeals for the Armed Forces, \$6,797,000.
- (15) For Environmental Restoration, Army, \$356,916,000.
- (16) For Environmental Restoration, Navy, \$302,900,000.
- (17) For Environmental Restoration, Air Force, \$414,700,000.
- (18) For Environmental Restoration, Defense-wide, \$258,500,000.
- (19) For Medical Programs, Defense, \$9,358,288,000.
- (20) For Overseas Humanitarian, Disaster, and Civic Aid, \$80,544,000.
- (21) For Former Soviet Union Threat Reduction, \$327,900,000.
- (22) For Payments to Kaho'olawe Island, \$10,000,000.

SEC. 302. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 1997 for the use of the Armed Forces of the United States and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds in amounts as follows:

- (1) For the Defense Business Operations Fund, \$947,900,000.
- (2) For the National Defense Sealift Fund, \$963,002,000.

Subtitle B—Other Matters

SEC. 310. REMEDIES FOR CONTRACTOR EMPLOYEE WHISTLEBLOWERS.

Section 2409(c) of title 10, United States Code, is amended—

(1) in subparagraph (B) by striking the period at the end, inserting in lieu thereof "; or in lieu of reinstatement, order the contractor to pay the person an amount equal to the compensation (including back pay) that would apply to the person in that position if the reprisal had not been taken and an award for damages."; and

(2) by adding at the end of paragraph (c)(1) the following new subparagraph (D):

"(D) Order the contractor to reimburse the agency that conducted the reprisal investigation an amount equal to the cost of the investigation."

SEC. 311. REPEAL OF REQUIREMENT FOR PHYSICAL EXAMINATION ON CALLING MILITIA INTO FEDERAL SERVICE.

(a) **REPEAL OF REQUIREMENT.**—Section 12408 of title 10, United States Code, is repealed.

(b) **CLERICAL AGREEMENT.**—The table of sections at the beginning of chapter 1209 is amended by striking out the item relating to section 12408.

SEC. 312. DEFENSE BUSINESS OPERATIONS FUND AMENDMENT.

Section 2216(i)(1) of title 10, United States Code, is amended by striking "\$50,000" and inserting in lieu thereof "\$100,000".

* * * * *

MORALE, WELFARE AND RECREATION ISSUES

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NATIONAL SECURITY,
SPECIAL OVERSIGHT PANEL ON
MORALE, WELFARE AND RECREATION,
Washington, DC, Wednesday, March 27, 1996.

The panel met, pursuant to notice, at 10:04 a.m., in room 2216, Rayburn House Office Building, the Hon. John M. McHugh (chairman of the panel) presiding.

OPENING STATEMENT OF HON. JOHN M. McHUGH, A REPRESENTATIVE FROM NEW YORK, CHAIRMAN, SPECIAL OVERSIGHT PANEL ON MORALE, WELFARE AND RECREATION

Mr. MCHUGH. Good morning. Let me first of all apologize for the closeness of the room. We are sorry about the crowded situation. We were not able to access our normal hearing room. And as perhaps some, if not all, of you are aware that we will have a regular hearing at 1 o'clock. But I do want to welcome those of you who have been able to fit in, and thank you for joining us here this morning.

Last year, at the first hearing of this panel, I stated that we had two priorities: First, to protect the benefits for our soldiers, airmen, and marines, and their families; and second, in order to meet that first priority, we must recognize that the status quo will no longer suffice. We are here to continue to pursue that.

I have a full statement that I am going to enter for the record, but for the sake of time, because we do have so many panels today, I am going to yield to the ranking member, Mr. Browder, for any comments he might want to make.

[The prepared statement of Mr. McHugh follows:]