Public Law 103-35
103d Congress

An Act

To amend title 10, United States Code, to revise the applicability of qualification requirements for certain acquisition workforce positions in the Department of Defense, to make necessary technical corrections in that title and certain other defense-related laws, and to facilitate real property repairs at military installations and minor military construction during fiscal year 1993.

May 31, 1993
[H.R. 1378]

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

TITLE I—APPLICABILITY OF QUALIFICATION REQUIREMENTS FOR CERTAIN ACQUISITION POSITIONS IN THE DEPARTMENT OF DEFENSE

SEC. 101. APPLICABILITY OF QUALIFICATION REQUIREMENTS FOR CERTAIN ACQUISITION POSITIONS IN THE DEPARTMENT OF DEFENSE.

Section 1724(c)(2) of title 10, United States Code, is amended—

(1) by inserting "or lower" before "grade"; and

(2) by inserting "or lower" before "level".

TITLE II—DEFENSE TECHNICAL AND CLERICAL AMENDMENTS

SEC. 201. AMENDMENTS TO TITLE 10, UNITED STATES CODE.

(a) RESOLUTION OF INCONSISTENT AND DUPLICATIVE AMENDMENTS.—Section 166a of title 10, United States Code, is amended—

(1) in the first sentence of subsection (a), by striking out "the Chairman" and all that follows through the period at the end of the sentence and inserting in lieu thereof "the Chairman of the Joint Chiefs of Staff may provide funds to the commander of a combatant command, upon the request of the commander, or, with respect to a geographic area or areas not within the area of responsibility of a commander of a combatant command, to an officer designated by the Chairman of the Joint Chiefs of Staff for such purpose."; and

(2) in subsection (b)(7), by striking out the second parenthetical phrase before the period at the end.

(b) DUPLICATE SECTION NUMBERS.—Title 10, United States Code, is amended as follows:

(1)(A) Chapter 141 is amended by redesignating the second sections 2410c and 2410d as sections 2410j and 2410k, respectively.

(B) The items relating to those sections in the table of sections at the beginning of such chapter are amended to reflect the redesignations made by subparagraph (A).

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(2)(A) Chapter 401 is amended by redesignating the second section 4316 as section 4317.

(B) The table of sections at the beginning of such chapter is amended by striking out the last two items and inserting in lieu thereof the following:

"4316. Reporting requirements.
"4317. Military history fellowships.".

(c) CROSS REFERENCE AMENDMENTS.—Title 10, United States Code, is amended as follows:

(1) Section 1104 is amended—

(A) in subsections (a), (b), and (c), by striking out "section 8011 of title 38" and inserting in lieu thereof "section 8111 of title 38"; and

(B) in subsection (d), by striking out "section 8011A of title 38" and inserting in lieu thereof "section 8111A of title 38".

(2) Section 2145(b) is amended by striking out "means the actual cost" and all that follows and inserting in lieu thereof "has the meaning given the term 'cost of attendance' by section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087ll).".

(3) Section 2198(c) is amended—

(A) by striking out "an annual" and inserting in lieu thereof "a"; and

(B) by striking out "section 2522" and inserting in lieu thereof "section 2506".

(4) Section 2371(g) is amended—

(A) by striking out "section 11" and inserting in lieu thereof "section 12"; and

(B) by striking out "sections 10 and 11" and inserting in lieu thereof "sections 11 and 12".

(5) Section 2372(g)(5) is amended by striking out "section 2522" and inserting in lieu thereof "section 2506".

(6) Section 2401(c)(2)(A) is amended by striking out "the Internal Revenue Code of 1954" and inserting in lieu thereof "the Internal Revenue Code of 1986".

(7) Section 2501(a)(1)(A) is amended by striking out "section 104" and inserting in lieu thereof "section 108".

(8) Section 2535(b)(2)(B) is amended by striking out "paragraph (1)" and inserting in lieu thereof "subparagraph (A)".

(9) Section 2677(c)(1) is amended—

(A) by striking out "section 21A(b)(12)(F)" and inserting in lieu thereof "section 21A(b)(11)(F)"; and

(B) by striking out "(12 U.S.C. 1441a(b)(12)(F))" and inserting in lieu thereof "(12 U.S.C. 1441a(b)(11)(F))".

(10) Section 5038(e) is amended by striking out "subsection" and inserting in lieu thereof "section".

(11) Section 7721(a) is amended by striking out "(46 U.S.C 781–790)" and inserting in lieu thereof "(46 U.S.C. App. 781–790)".

(d) AMENDMENTS FOR STYLISTIC CONSISTENCY.—Title 10, United States Code, is amended as follows:

(1) Section 1597 is amended—

(A) in subsection (c)(3)—

(i) by striking out "defense agency" in subparagraph (A)(v) and inserting in lieu thereof "Defense Agency"; and

(ii) in subparagraph (C)—

(I) by striking out "defense agency" the first place it appears and inserting in lieu thereof "Defense Agency"; and

(II) by striking out "defense agency" the second place it appears and inserting in lieu thereof "Defense Agency,"; and

(B) in subsection (e), by striking out "of the date" and inserting in lieu thereof "on the date".

(2) The table of sections at the beginning of chapter 142 is amended by striking out "Sec." in the items relating to sections 2418 and 2419.

(3) Section 2513(c)(2)(B) is amended by striking out the second clause (iii) (as added by section 4223(d) of Public Law 102–484 (106 Stat. 2681)) and inserting in lieu thereof the following:

"(iv) An institution of higher education designated by a State or local government.".

(4) Section 2536 is amended by striking out the period at the end of the section heading.

(5) Section 2537(a) is amended in the first sentence by striking out "respectively, which" and inserting in lieu thereof "respectively, that".

(6) Section 2701(j)(2) is amended by striking out "applies (42 U.S.C. 9619(g))" and inserting in lieu thereof "(42 U.S.C. 9619(g)) applies".

(7) Section 2828 is amended by striking out "per annum" each place it appears in subsections (b)(2), (b)(3), and (e)(1) and inserting in lieu thereof "per year".

(e) SUBSECTION HEADINGS.—Title 10, United States Code, is amended as follows:

(1) Section 2513 (as transferred and redesignated by section 4223(b) of Public Law 102–484 (106 Stat. 2681)) is amended—

(A) by striking out "CENTERS" in the heading for subsection (b) and inserting in lieu thereof "ALLIANCES"; and

(B) by striking out "CENTER" in the heading for subsection (e) and inserting in lieu thereof "ALLIANCE".

(2) Section 2308 is amended by inserting after "(a)" the following: "FACILITATION OF PROCUREMENT.—".

(f) DATE OF ENACTMENT REFERENCES.—Title 10, United States Code, is amended as follows:

(1) Section 1151(e)(1) is amended by striking out "the date of the enactment of this section" and inserting in lieu thereof "October 23, 1992,".

(2) Section 1331a(b) is amended by striking out "the date of the enactment of the National Defense Authorization Act for Fiscal Year 1993" and inserting in lieu thereof "October 23, 1992,".

(3) Section 1802(b) is amended by striking out "not more than two years before the date of the enactment of this chapter" and inserting in lieu thereof "after October 22, 1990".

(g) PUNCTUATION, SPELLING, ETC.—Title 10, United States Code, is amended as follows:

(1) Section 1078a is amended—

(A) in subsection (b)(3)(C), by striking out "subparagraphs" and inserting in lieu thereof "subparagraph"; and

(B) in subsection (d)(2)(A), by inserting "under" after "coverage".

(2) Section 1590(a) is amended by striking out the second semicolon at the end of paragraph (1).

(3) Section 1802(a) is amended by striking out "carrys" and inserting in lieu thereof "carries".

(4) Section 2321(d)(1)(B) is amended by striking out "adherance" and inserting in lieu thereof "adherence".

(5) Section 2361(b)(2) is amended by striking out "inconsisent" and inserting in lieu thereof "inconsistent".

(6) Section 2410j (as redesignated by subsection (b)(1)(A)) is amended in subsection (f)(2)(B) by striking out "aid" and inserting in lieu thereof "aide".

(7) The heading of section 2505 is amended by striking out "**capabilty**" and inserting in lieu thereof "**capability**".

(8) Section 2516(b)(4) is amended by striking out "dual use" and inserting in lieu thereof "dual-use".

(9) Section 2524(b)(2)(F) is amended by striking out "work force" both places it appears and inserting in lieu thereof "workforce".

(10)(A) The heading of section 4313 is amended to read as follows:

"§ 4313. National Matches and small-arms school: expenses".

(B) The item relating to section 4313 in the table of sections at the beginning of chapter 401 is amended to read as follows:

"4313. National Matches and small-arms school: expenses.".

(h) REDUNDANT PROVISIONS.—Title 10, United States Code, is amended as follows:

(1) Section 1598(e) is amended by striking out paragraph (4).

(2) Section 2537 is amended by striking out subsection (d).

(i) CLARIFICATION OF AMENDMENTS.—Title 10, United States Code, is amended as follows:

(1) Paragraph (4) of section 1142(b) is amended by striking out "job placement assistance" and all that follows through the end of the paragraph and inserting in lieu thereof "job placement assistance, including the public and community service jobs program carried out under section 1143a of this title, and information regarding the placement program established under section 1151 of this title to assist members to obtain employment as elementary or secondary school teachers or teachers' aides.".

(2) Section 2433(e) is amended—

(A) by striking out "a at least 15 percent increase" both places it appears and inserting in lieu thereof "an increase of at least 15 percent"; and

(B) by striking out "a at least 25 percent increase" both places it appears and inserting in lieu thereof "an increase of at least 25 percent".

SEC. 202. AMENDMENTS TO FISCAL YEAR 1993 DEFENSE AUTHORIZATION ACT.

(a) IN GENERAL.—The National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484) is amended as follows:

(1) Section 195 (106 Stat. 2349) is amended by striking out "initiative" and inserting in lieu thereof "Initiative". 10 USC 2501 note.

(2) Section 234(e)(2) (106 Stat. 2357) is amended by striking out "in subsection (d)" and inserting in lieu thereof "in subsection (c), as redesignated by subsection (b)(2)(B)". 10 USC 2431 note.

(3) Section 243 (106 Stat. 2360) is amended by striking out "Notwithstanding the provisions of the Land-Remote Sensing Commercialization Act of 1984 (15 U.S.C. 4201 et seq.), the Secretary of Defense is authorized" and inserting in lieu thereof "The Secretary of Defense is authorized". 15 USC 5611 note.

(4) Section 653(b)(2) (106 Stat. 2428) is amended by striking out "section 1463" and inserting in lieu thereof "section 1463(a)". 10 USC 1463.

(5) Section 704(1) (106 Stat. 2432) is amended by striking out "paragraph (15)(D)" and inserting in lieu thereof "paragraph (15)". 10 USC 1079.

(6) Section 801(f) (106 Stat. 2444) is amended— 10 USC 2323.

(A) by redesignating paragraphs (3), (4), (5), and (6) as paragraphs (4), (5), (6), and (7), respectively; and

(B) by inserting after paragraph (2) the following new paragraph:

"(3) by striking out 'Secretary with' in paragraph (2) and inserting in lieu thereof 'Secretary toward attaining';".

(7) Section 843(c) (106 Stat. 2469) is amended— 10 USC 2350a note.

(A) by striking out "On the date which is two years after the date of the enactment of this Act," and inserting in lieu thereof "Effective October 23, 1994,"; and

(B) by striking out "section 2350a" and inserting in lieu thereof "sections 2350a(c) and 2350d(c)".

(8) Section 911(b)(2) (106 Stat. 2473) is amended by striking out the period and closing quotation marks at the end and inserting in lieu thereof closing quotation marks and a period. 10 USC 155.

(9) Section 933 (106 Stat. 2476) is amended— 10 USC 664 note.

(A) in subsection (b)(1), by striking out "or" and inserting in lieu thereof "and"; and

(B) in subsection (c), by inserting a comma after "United States Code".

(10) Section 1312(b)(4) (106 Stat. 2548) is amended by striking out "the" in the quoted matter stricken out in the amendment made by subparagraph (B). 10 USC 2347.

(11) Section 1135(c)(2) (106 Stat. 2541) is amended by striking out "unit deployment designators" and inserting in lieu thereof "Unit Deployment Designators". 10 USC 3077 note.

(12) Section 1314(b) (106 Stat. 2549) is amended in the second sentence by adding a period after "of member nations".

(13) Sections 1814 and 1834 (106 Stat. 2583, 2586) are each amended by striking out "section" and inserting in lieu thereof "subtitle". 36 USC 5013, 5113.

(14) Section 4219(c)(2)(H) (106 Stat. 2672) is amended— 10 USC 2505 note.

(A) by striking out "Work force" and inserting in lieu thereof "Workforce"; and

(B) by striking out "work force" and inserting in lieu thereof "workforce".

(15) Section 4301(b)(1)(C) (106 Stat. 2697) is amended by inserting "the first place it appears" before "the following". 10 USC 2391.

10 USC 1086a.

(16) Section 4407(b)(2) (106 Stat. 2708) is amended by inserting "the second place it appears" before "and inserting in lieu thereof".

10 USC 1162 note, 1174a.

(17) Section 4422(a) (106 Stat. 2718) is amended—

(A) in paragraph (3), by striking out "after" after "by inserting"; and

(B) in paragraph (4), by inserting "the first reference to" after "after" the first place it appears.

10 USC 2410d.

(18) Section 4470(a) (106 Stat. 2753) is amended—

(A) by striking out "section 4303(a)" in paragraph (1) and inserting in lieu thereof "section 4443(a)"; and

(B) by striking out "section 4303(b)" in paragraph (2) and inserting in lieu thereof "section 4443(b)".

10 USC 155 note.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply as if included in the enactment of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484).

SEC. 203. AMENDMENTS TO FISCAL YEAR 1992/1993 DEFENSE AUTHORIZATION ACT.

(a) REPEAL OF PREVIOUSLY CODIFIED PROVISION.—Section 523 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190; 105 Stat. 1363) is repealed.

10 USC 591 note.

(b) OTHER AMENDMENTS.—The National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190) is amended as follows:

10 USC 2431 note.

(1) Section 236(d) (as redesignated by section 234(b)(2)(B) of Public Law 102–484 (106 Stat. 2356)) is amended by striking out "subsection (a) through (d)" in paragraph (1) and inserting in lieu thereof "subsections (a) through (c)".

10 USC 1086.

(2) Section 704(a) (105 Stat. 1401) is amended by striking out the closing quotation marks and period at the end of paragraph (2) of the subsection inserted by the amendment made by that section.

42 USC 2123.

(3) Section 3136(b)(1)(C)(ii)(I) (105 Stat. 1578) is amended by striking out "section 2522 of title 10, United States Code" and inserting in lieu thereof "section 2506 of title 10, United States Code".

42 USC 7142.

(4) Section 3137(c) (105 Stat. 1579) is amended by striking out the comma after "the Secretary of Energy".

SEC. 204. AMENDMENTS TO OTHER LAWS.

(a) TITLE 37, UNITED STATES CODE.—Title 37, United States Code, is amended as follows:

(1) Section 205(a)(7)(B) is amended by striking out "the Veterans' Administration," and inserting in lieu thereof "the Department of Veterans Affairs,".

(2) Section 411f(c) is amended by striking out "section 401 of this title" and inserting in lieu thereof "section 401(a) of this title".

(b) PUBLIC LAW 98–94.—Section 1215(c) of the Department of Defense Authorization Act, 1984 (Public Law 98–94; 97 Stat. 688; 10 U.S.C. 2452 note), is amended by striking out "regulatons" and inserting in lieu thereof "regulations".

Effective date.

(c) PUBLIC LAW 101–189.—Effective as of November 29, 1989, paragraph (1) of section 631(a) of the National Defense Authorization Act for Fiscal Years 1990 and 1991 (Public Law 101–189; 103 Stat. 1449) is amended by inserting a comma after "18" in the matter struck by such paragraph.

37 USC 301a, 301a note.

(d) STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.—Section 11(a)(1) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–2(a)(1)) is amended by striking out "six-month period" and inserting in lieu thereof "fiscal year".

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. REAL PROPERTY REPAIRS AND MINOR CONSTRUCTION DURING FISCAL YEAR 1993.

In addition to using the funds specifically appropriated for real property maintenance under the heading "REAL PROPERTY MAINTENANCE, DEFENSE" in title II of the Department of Defense Appropriations Act, 1993 (Public Law 102–396; 106 Stat. 1885), the Secretary of Defense and the Secretary of a military department may also use funds appropriated to the Secretary concerned for operation and maintenance under any of the first 11 headings of such title in order to carry out a major repair project that costs $15,000 or more or a minor construction project that costs not less than $15,000 and not more than $300,000.

Approved May 31, 1993.

LEGISLATIVE HISTORY—H.R. 1378:

HOUSE REPORTS: No. 103–83 (Comm. on Armed Services).
CONGRESSIONAL RECORD, Vol. 139 (1993):
May 11, considered and passed House.
May 18, considered and passed Senate.

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