

Calendar No. 116

106TH CONGRESS
1ST Session

S. 1061

A BILL

To authorize appropriations for fiscal year 2000 for military construction, and for other purposes.

May 17 (legislative day, May 14), 1999

Read twice and placed on the calendar

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To authorize appropriations for fiscal year 2000 for military construction,
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IN THE SENATE OF THE UNITED STATES

MAY 17 (legislative day, MAY 14), 1999

Mr. WARNER, from the Committee on Armed Services, reported the following
original bill; which was read twice and placed on the calendar

A BILL

To authorize appropriations for fiscal year 2000 for military
construction, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Military Construction
5 Authorization Act for Fiscal Year 2000”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Congressional defense committees defined.

TITLE XXI—ARMY

- Sec. 2101. Authorized Army construction and land acquisition projects.
- Sec. 2102. Family housing.
- Sec. 2103. Improvements to military family housing units.
- Sec. 2104. Authorization of appropriations, Army.

TITLE XXII—NAVY

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
- Sec. 2203. Improvements to military family housing units.
- Sec. 2204. Authorization of appropriations, Navy.
- Sec. 2205. Technical modification of authority relating to certain fiscal year 1997 project.

TITLE XXIII—AIR FORCE

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
- Sec. 2303. Improvements to military family housing units.
- Sec. 2304. Authorization of appropriations, Air Force.

TITLE XXIV—DEFENSE AGENCIES

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
- Sec. 2402. Improvements to military family housing units.
- Sec. 2403. Military family housing improvement program.
- Sec. 2404. Energy conservation projects.
- Sec. 2405. Authorization of appropriations, Defense Agencies.
- Sec. 2406. Modification of authority to carry out certain fiscal year 1997 project.

**TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION
SECURITY INVESTMENT PROGRAM**

- Sec. 2501. Authorized NATO construction and land acquisition projects.
- Sec. 2502. Authorization of appropriations, NATO.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

- Sec. 2601. Authorized Guard and Reserve construction and land acquisition projects.

**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 1997 projects.
- Sec. 2703. Extension of authorizations of certain fiscal year 1996 projects.
- Sec. 2704. Effective date.

TITLE XXVIII—GENERAL PROVISIONS**Subtitle A—Military Construction Program and Military
Family Housing Program Changes**

- Sec. 2801. Exemption from notice and wait requirements of military construction projects supported by burdensharing funds undertaken for war or national emergency.
- Sec. 2802. Prohibition on carrying out military construction projects funded using incremental funding.
- Sec. 2803. Defense Chemical Demilitarization Construction Account.
- Sec. 2804. Limitation on authority regarding ancillary supporting facilities under alternative authority for acquisition and construction of military housing.
- Sec. 2805. Availability of funds for planning and design in connection with acquisition of reserve component facilities.
- Sec. 2806. Modification of limitations on reserve component facility projects for certain safety projects.

Subtitle B—Real Property and Facilities Administration

- Sec. 2811. Extension of authority for leases of property for special operations activities.
- Sec. 2812. Enhancement of authority relating to utility privatization.

Subtitle C—Defense Base Closure and Realignment

- Sec. 2821. Conveyance of property at installations closed or realigned under the base closure laws without consideration for economic redevelopment purposes.

Subtitle D—Land Conveyances

PART I—ARMY CONVEYANCES

- Sec. 2831. Land conveyance, Army Reserve Center, Bangor, Maine.

PART II—NAVY CONVEYANCES

- Sec. 2841. Clarification of land exchange, Naval Reserve Readiness Center, Portland, Maine.
- Sec. 2842. Land conveyance, Newport, Rhode Island.
- Sec. 2843. Land conveyance, Naval Weapons Industrial Reserve Plant No. 387, Dallas, Texas.

PART III—AIR FORCE CONVEYANCES

- Sec. 2851. Land conveyance, McClellan Nuclear Radiation Center, California.
- Sec. 2852. Land conveyance, Newington Defense Fuel Supply Point, New Hampshire.

Subtitle E—Other Matters

- Sec. 2861. Acquisition of State-held inholdings, East Range of Fort Huachuca, Arizona.
- Sec. 2862. Development of Ford Island, Hawaii.

TITLE XXIX—RENEWAL OF MILITARY LAND WITHDRAWALS

- Sec. 2901. Short title.
- Sec. 2902. Withdrawals.
- Sec. 2903. Maps and legal descriptions.
- Sec. 2904. Management of withdrawn lands.

Sec. 2905. Special wildlife rules on Barry M. Goldwater Range.
 Sec. 2906. Establishment of national park in Barry M. Goldwater Range.
 Sec. 2907. Land management analysis.
 Sec. 2908. Ongoing environmental restoration.
 Sec. 2909. Relinquishment.
 Sec. 2910. Delegability.
 Sec. 2911. Water rights.
 Sec. 2912. Hunting, fishing, and trapping.
 Sec. 2913. Mining and mineral leasing.
 Sec. 2914. Immunity of United States.

1 **SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.**

2 For purposes of this Act, the term “congressional de-
 3 fense committees” means—

4 (1) the Committee on Armed Services and the
 5 Committee on Appropriations of the Senate; and

6 (2) the Committee on National Security and the
 7 Committee on Appropriations of the House of Rep-
 8 resentatives.

9 **TITLE XXI—ARMY**

10 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 11 **ACQUISITION PROJECTS.**

12 (a) **INSIDE THE UNITED STATES.**—Using amounts
 13 appropriated pursuant to the authorization of appropria-
 14 tions in section 2104(a)(1), the Secretary of the Army
 15 may acquire real property and carry out military construc-
 16 tion projects for the installations and locations inside the
 17 United States, and in the amounts, set forth in the fol-
 18 lowing table:

Army: Inside the United States

State	Installation or location	Amount
Alaska	Fort Richardson	\$14,600,000
	Fort Wainwright	\$34,800,000
Arkansas	Pine Bluff Arsenal	\$18,000,000

Army: Inside the United States—Continued

State	Installation or location	Amount
California	Fort Irwin	\$13,400,000
Colorado	Peterson Air Force Base	\$25,000,000
District of Columbia	Fort McNair	\$1,250,000
	Walter Reed Medical Center	\$6,800,000
Georgia	Fort Benning	\$48,400,000
	Fort Stewart	\$19,000,000
	Fort Stewart/Hunter Army Air Field	\$7,000,000
	Hunter Army Air Field	\$7,200,000
Hawaii	Schofield Barracks	\$95,000,000
Kansas	Fort Leavenworth	\$34,100,000
	Fort Riley	\$27,000,000
Kentucky	Blue Grass Army Depot	\$17,000,000
	Fort Campbell	\$56,900,000
Maryland	Fort Meade	\$22,450,000
Massachusetts	Westover Air Force Reserve Base	\$4,000,000
Missouri	Fort Leonard Wood	\$10,600,000
Nevada	Hawthorne Army Depot	\$1,700,000
New Jersey	Fort Monmouth	\$11,800,000
North Carolina	Fort Bragg	\$125,400,000
	Military Ocean Terminal Sunny Point	\$3,800,000
Oklahoma	Fort Sill	\$13,200,000
	McAlester Army Ammunition	\$16,600,000
Pennsylvania	Carlisle Barracks	\$5,000,000
	Letterkenny Army Depot	\$3,650,000
South Carolina	Fort Jackson	\$7,400,000
Texas	Fort Bliss	\$50,400,000
	Fort Hood	\$68,000,000
Virginia	Fort Belvoir	\$3,850,000
	Fort Eustis	\$39,000,000
	Fort Myer	\$2,900,000
Washington	Fort Lewis	\$6,200,000
	Yakima Training Center	\$17,200,000
CONUS Various	CONUS Various	\$36,400,000
	Total:	\$875,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2104(a)(2), the Secretary of the Army
4 may acquire real property and carry out military construc-
5 tion projects for the locations outside the United States,
6 and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or location	Amount
Germany	Ansbach	\$21,000,000
	Area Support Group Bamberg	\$23,200,000
	Mannheim	\$4,500,000
Korea	Camp Casey	\$31,000,000
	Camp Howze	\$3,050,000
	Camp Stanley	\$3,650,000

Army: Outside the United States—Continued

Country	Installation or location	Amount
	Total:	\$86,400,000

1 **SEC. 2102. FAMILY HOUSING.**

2 (a) CONSTRUCTION AND ACQUISITION.—Using
3 amounts appropriated pursuant to the authorization of ap-
4 propriations in section 2104(a)(5)(A), the Secretary of the
5 Army may construct or acquire family housing units (in-
6 cluding land acquisition) at the installation, for the pur-
7 pose, and in the amount set forth in the following table:

Army: Family Housing

Country	Installation or loca- tion	Purpose	Amount
Korea	Camp Humphreys	60 Units	\$24,000,000
		Total:	\$24,000,000

8 (b) PLANNING AND DESIGN.—Using amounts appro-
9 priated pursuant to the authorization of appropriations in
10 section 2104(a)(5)(A), the Secretary of the Army may
11 carry out architectural and engineering services and con-
12 struction design activities with respect to the construction
13 or improvement of family housing units in an amount not
14 to exceed \$4,300,000.

15 **SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
16 **UNITS.**

17 Subject to section 2825 of title 10, United States
18 Code, and using amounts appropriated pursuant to the
19 authorization of appropriations in section 2104(a)(5)(A),

1 the Secretary of the Army may improve existing military
2 family housing units in an amount not to exceed
3 \$32,600,000.

4 **SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

5 (a) IN GENERAL.—Funds are hereby authorized to
6 be appropriated for fiscal years beginning after September
7 30, 1999, for military construction, land acquisition, and
8 military family housing functions of the Department of the
9 Army in the total amount of \$2,194,333,000 as follows:

10 (1) For military construction projects inside the
11 United States authorized by section 2101(a),
12 \$736,708,000.

13 (2) For military construction projects outside
14 the United States authorized by section 2101(b),
15 \$86,400,000.

16 (3) For unspecified minor construction projects
17 authorized by section 2805 of title 10, United States
18 Code, \$9,500,000.

19 (4) For architectural and engineering services
20 and construction design under section 2807 of title
21 10, United States Code, \$83,414,000.

22 (5) For military family housing functions:

23 (A) For construction and acquisition, plan-
24 ning and design, and improvement of military
25 family housing and facilities, \$61,531,000.

1 (B) For support of military family housing
2 (including the functions described in section
3 2833 of title 10, United States Code),
4 \$1,098,080,000.

5 (6) For the construction of the United States
6 Disciplinary Barracks, Phase III, Fort Leavenworth,
7 Kansas, authorized by section 2101(a) of the Military
8 Construction Authorization Act for Fiscal Year
9 1998 (division B of Public Law 105–85; 111 Stat.
10 1966), \$18,800,000.

11 (7) For the construction of the Whole Barracks
12 Complex Renewal, Fort Campbell, Kentucky, authorized
13 by section 2101(a) of the Military Construction
14 Authorization Act for Fiscal Year 1999 (division B
15 of Public Law 105–261; 112 Stat. 2182),
16 \$4,800,000.

17 (8) For the construction of the Multi-Purpose
18 Digital Training Range, Fort Knox, Kentucky, authorized
19 by section 2101(a) of the Military Construction
20 Authorization Act for Fiscal Year 1999,
21 \$2,400,000.

22 (9) For the construction of the Cadet Development
23 Center, United States Military Academy, West
24 Point, New York, authorized by section 2101(a) of

1 the Military Construction Authorization Act for Fis-
2 cal Year 1999, \$28,500,000.

3 (10) For the construction of the Force XXI
4 Soldier Development Center, Fort Hood, Texas, au-
5 thORIZED by section 2101(a) of the Military Construc-
6 tion Authorization Act for Fiscal Year 1999,
7 \$14,000,000.

8 (11) For the construction of the Railhead Facil-
9 ity, Fort Hood, Texas, authorized by section
10 2101(a) of the Military Construction Authorization
11 Act of Fiscal Year 1999, \$14,800,000.

12 (12) For the construction of the Power Plant,
13 Roi Namur Island, Kwajalein Atoll, Kwajalein, au-
14 THORIZED by section 2101(b) of the Military Con-
15 struction Authorization Act for Fiscal Year 1999
16 (112 Stat. 2183), \$35,400,000.

17 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
18 PROJECTS.—Notwithstanding the cost variations author-
19 ized by section 2853 of title 10, United States Code, and
20 any other cost variation authorized by law, the total cost
21 of all projects carried out under section 2101 of this Act
22 may not exceed—

23 (1) the total amount authorized to be appro-
24 priated pursuant to paragraphs (1) and (2) of sub-
25 section (a);

1 (2) \$80,800,000 (the balance of the amount au-
 2 thorized under section 2101(a) for the construction
 3 of the whole barracks complex renewal at Schofield
 4 Barracks, Hawaii); and

5 (3) \$57,492,000 (the balance of the amount au-
 6 thorized under section 2101(a) for the construction
 7 of the whole barracks complex renewal at Fort
 8 Bragg, North Carolina).

9 **TITLE XXII—NAVY**

10 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 11 **ACQUISITION PROJECTS.**

12 (a) INSIDE THE UNITED STATES.—Using amounts
 13 appropriated pursuant to the authorization of appropria-
 14 tions in section 2204(a)(1), the Secretary of the Navy may
 15 acquire real property and carry out military construction
 16 projects for the installations and locations inside the
 17 United States, and in the amounts, set forth in the fol-
 18 lowing table:

Navy: Inside the United States

State	Installation or location	Amount
Arizona	Marine Corps Air Station, Yuma	\$17,020,000
	Navy Detachment, Camp Navajo	\$7,560,000
California	Marine Corps Air-Ground Combat Cen- ter, Twentynine Palms.	\$34,760,000
	Marine Corps Base, Camp Pendleton	\$31,660,000
	Marine Corps Logistics Base, Barstow ...	\$4,670,000
	Marine Corps Recruit Depot, San Diego	\$3,200,000
	Naval Air Station, Lemoore	\$24,020,000
	Naval Air Station, North Island	\$54,420,000
	Naval Hospital, San Diego	\$21,590,000
	Naval Hospital, Twentynine Palms	\$7,640,000
Florida	Naval Air Station, Whiting Field, Milton	\$4,750,000
Georgia	Marine Corps Logistics Base, Albany	\$6,260,000
	Naval Air Station, Atlanta	\$5,430,000
Hawaii	Camp H.M. Smith	\$86,050,000
	Marine Corps Air Station, Kaneohe Bay	\$5,790,000

Navy: Inside the United States—Continued

State	Installation or location	Amount
	Naval Shipyard, Pearl Harbor	\$10,610,000
	Naval Station, Pearl Harbor	\$18,600,000
	Naval Submarine Base, Pearl Harbor	\$29,460,000
Idaho	Naval Surface Warfare Center, Bayview	\$10,040,000
Illinois	Naval Training Center, Great Lakes	\$57,290,000
Maine	Naval Air Station, Brunswick	\$16,890,000
Maryland	Naval Surface Warfare Center, Indian Head.	\$10,070,000
Mississippi	Naval Construction Battalion Center, Gulfport.	\$19,170,000
New Jersey	Naval Air Warfare Center Aircraft Division, Lakehurst.	\$15,710,000
North Carolina	Marine Corps Air Station, New River	\$5,470,000
	Marine Corps Base, Camp LeJeune	\$21,380,000
Pennsylvania	Navy Ships Parts Control Center, Mechanicsburg.	\$2,990,000
	Naval Shipyard, Philadelphia	\$13,320,000
South Carolina	Naval Weapons Station, Charleston	\$7,640,000
	Marine Corps Air Station, Beaufort	\$10,490,000
Virginia	Marine Corps Combat Development Command, Quantico.	\$20,820,000
	Naval Air Station, Oceana	\$11,490,000
	Naval Shipyard, Norfolk, Portsmouth	\$17,630,000
	Naval Station, Norfolk	\$69,550,000
	Naval Weapons Station, Yorktown	\$25,040,000
	Tactical Training Group Atlantic, Dam Neck.	\$10,310,000
Washington	Naval Ordnance Center Pacific Division Detachment, Port Hadlock.	\$3,440,000
	Puget Sound Naval Shipyard, Bremerton	\$15,610,000
	Strategic Weapons Facility Pacific, Bremerton.	\$6,300,000
	Total:	\$744,140,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropri-
3 ations in section 2204(a)(2), the Secretary of the Navy may
4 acquire real property and carry out military construction
5 projects for the locations outside the United States, and
6 in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or location	Amount
Bahrain	Administrative Support Unit	\$83,090,000
Diego Garcia	Naval Support Facility, Diego Garcia	\$8,150,000
Greece	Naval Support Activity, Souda Bay	\$6,380,000
Italy	Naval Support Activity, Naples	\$26,750,000
	Total:	\$124,370,000

1 **SEC. 2202. FAMILY HOUSING.**

2 (a) CONSTRUCTION AND ACQUISITION.—Using
 3 amounts appropriated pursuant to the authorization of ap-
 4 propriations in section 2204(a)(5)(A), the Secretary of the
 5 Navy may construct or acquire family housing units (in-
 6 cluding land acquisition) at the installations, for the pur-
 7 poses, and in the amounts set forth in the following table:

Navy: Family Housing

State	Installation or loca- tion	Purpose	Amount
Arizona	Marine Corps Air Sta- tion, Yuma.	100 Units	\$17,000,000
Hawaii	Marine Corps Air Sta- tion, Kaneohe Bay.	100 Units	\$26,615,000
	Marine Corps Base, Kaneohe Bay.	84 Units	\$22,639,000
	Naval Base, Pearl Har- bor.	96 Units	\$19,167,000
	Naval Base, Pearl Har- bor.	96 Units	\$19,167,000
	Total:		

8 (b) PLANNING AND DESIGN.—Using amounts appro-
 9 priated pursuant to the authorization of appropriations in
 10 section 2204(a)(5)(A), the Secretary of the Navy may
 11 carry out architectural and engineering services and con-
 12 struction design activities with respect to the construction
 13 or improvement of military family housing units in an
 14 amount not to exceed \$17,715,000.

15 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
 16 **UNITS.**

17 Subject to section 2825 of title 10, United States
 18 Code, and using amounts appropriated pursuant to the
 19 authorization of appropriations in section 2204(a)(5)(A),

1 the Secretary of the Navy may improve existing military
2 family housing units in an amount not to exceed
3 \$165,050,000.

4 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

5 (a) IN GENERAL.—Funds are hereby authorized to
6 be appropriated for fiscal years beginning after September
7 30, 1999, for military construction, land acquisition, and
8 military family housing functions of the Department of the
9 Navy in the total amount of \$2,078,015,000 as follows:

10 (1) For military construction projects inside the
11 United States authorized by section 2201(a),
12 \$673,960,000.

13 (2) For military construction projects outside
14 the United States authorized by section 2201(b),
15 \$124,370,000.

16 (3) For unspecified minor construction projects
17 authorized by section 2805 of title 10, United States
18 Code, \$7,342,000.

19 (4) For architectural and engineering services
20 and construction design under section 2807 of title
21 10, United States Code, \$66,229,000.

22 (5) For military family housing functions:

23 (A) For construction and acquisition, plan-
24 ning and design, and improvement of military
25 family housing and facilities, \$298,354,000.

1 (B) For support of military housing (in-
2 cluding functions described in section 2833 of
3 title 10, United States Code), \$895,070,000.

4 (6) For construction of the Berthing Wharf
5 (Increment II), Naval Station Norfolk, Virginia, au-
6 thorized by section 2201(a) of the Military Construc-
7 tion Authorization Act for Fiscal Year 1999 (divi-
8 sion B of Public Law 105–261; 112 Stat. 2186),
9 \$12,690,000.

10 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
11 PROJECTS.—Notwithstanding the cost variations author-
12 ized by section 2853 of title 10, United States Code, and
13 any other cost variation authorized by law, the total cost
14 of all projects carried out under section 2201 of this Act
15 may not exceed—

16 (1) the total amount authorized to be appro-
17 priated pursuant to paragraphs (1) and (2) of sub-
18 section (a); and

19 (2) \$70,180,000 (the balance of the amount au-
20 thorized under section 2201(a) for the construction
21 of the Commander-in-Chief Headquarters, Pacific
22 Command, Camp H. M. Smith, Hawaii).

1 **SEC. 2205. TECHNICAL MODIFICATION OF AUTHORITY RE-**
 2 **LATING TO CERTAIN FISCAL YEAR 1997**
 3 **PROJECT.**

4 The table in section 2202(a) of the Military Construc-
 5 tion Authorization Act for Fiscal Year 1997 (division B
 6 of Public Law 104–201; 110 Stat. 2768) is amended in
 7 the item relating to Naval Air Station Brunswick, Maine,
 8 by striking “92 Units” in the purpose column and insert-
 9 ing “72 Units”.

10 **TITLE XXIII—AIR FORCE**

11 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 12 **LAND ACQUISITION PROJECTS.**

13 (a) **INSIDE THE UNITED STATES.**—Using amounts
 14 appropriated pursuant to the authorization of appropria-
 15 tions in section 2304(a)(1), the Secretary of the Air Force
 16 may acquire real property and carry out military construc-
 17 tion projects for the installations and locations inside the
 18 United States, and in the amounts, set forth in the fol-
 19 lowing table:

Air Force: Inside the United States

State	Installation or location	Amount
Alabama	Maxwell Air Force Base	\$10,600,000
Alaska	Eielson Air Force Base	\$24,100,000
	Elmendorf Air Force Base	\$42,300,000
Arizona	Davis-Monthan Air Force Base	\$7,800,000
California	Beale Air Force Base	\$8,900,000
	Travis Air Force Base	\$7,500,000
Colorado	Peterson Air Force Base	\$33,000,000
	Schriever Air Force Base	\$9,400,000
	United States Air Force Academy ...	\$17,500,000
Delaware	Dover Air Force Base	\$12,000,000
Florida	Eglin Air Force Base	\$13,600,000
	Eglin Auxiliary Field 9	\$18,800,000
	MacDill Air Force Base	\$5,500,000
	Patrick Air Force Base	\$17,800,000

Air Force: Inside the United States—Continued

State	Installation or location	Amount
Georgia	Fort Benning	\$3,900,000
	Moody Air Force Base	\$3,200,000
	Robins Air Force Base	\$3,350,000
Hawaii	Hickam Air Force Base	\$3,300,000
Idaho	Mountain Home Air Force Base	\$17,000,000
Kansas	McConnell Air Force Base	\$10,963,000
Kentucky	Fort Campbell	\$6,300,000
Maryland	Andrews Air Force Base	\$9,900,000
Massachusetts	Hanscom Air Force Base	\$16,000,000
Mississippi	Columbus Air Force Base	\$2,600,000
	Keesler Air Force Base	\$35,900,000
Missouri	Whiteman Air Force Base	\$24,900,000
Montana	Malmstrom Air Force Base	\$11,600,000
Nebraska	Offutt Air Force Base	\$8,300,000
Nevada	Nellis Air Force Base	\$18,600,000
New Jersey	McGuire Air Force Base	\$11,800,000
New York	Rome Laboratory	\$12,800,000
North Carolina	Fort Bragg	\$4,600,000
	Pope Air Force Base	\$7,700,000
	Grand Forks Air Force Base	\$9,500,000
Ohio	Wright-Patterson Air Force Base	\$22,200,000
Oklahoma	Tinker Air Force Base	\$47,400,000
South Carolina	Charleston Air Force Base	\$18,200,000
South Dakota	Ellsworth Air Force Base	\$10,200,000
Tennessee	Arnold Air Force Base	\$7,800,000
Texas	Dyess Air Force Base	\$5,400,000
	Lackland Air Force Base	\$13,400,000
	Laughlin Air Force Base	\$3,250,000
	Hill Air Force Base	\$4,600,000
Virginia	Langley Air Force Base	\$6,300,000
Washington	Fairchild Air Force Base	\$13,600,000
	McChord Air Force Base	\$7,900,000
CONUS Classified	Classified Location	\$16,870,000
	Total:	\$628,133,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2304(a)(2), the Secretary of the Air Force
4 may acquire real property and carry out military construc-
5 tion projects for the installations and locations outside the
6 United States, and in the amounts, set forth in the fol-
7 lowing table:

Air Force: Outside the United States

Country	Installation or location	Amount
Guam	Andersen Air Force Base	\$8,900,000
Italy	Aviano Air Base	\$3,700,000
Korea	Osan Air Base	\$19,600,000
Portugal	Lajes Field, Azores	\$1,800,000

Air Force: Outside the United States—Continued

Country	Installation or location	Amount
United Kingdom	Ascension Island	\$2,150,000
	Royal Air Force, Feltwell	\$3,000,000
	Royal Air Force, Lakenheath	\$18,200,000
	Royal Air Force, Mildenhall	\$17,600,000
	Royal Air Force, Molesworth	\$1,700,000
	Total:	\$76,650,000

1 SEC. 2302. FAMILY HOUSING.

2 (a) CONSTRUCTION AND ACQUISITION.—Using
3 amounts appropriated pursuant to the authorization of ap-
4 propriations in section 2304(a)(5)(A), the Secretary of the
5 Air Force may construct or acquire family housing units
6 (including land acquisition) at the installations, for the
7 purposes, and in the amounts set forth in the following
8 table:

Air Force: Family Housing

State or Country	Installation or location	Purpose	Amount
Arizona	Davis-Monthan Air Force Base.	64 Units	\$10,000,000
California	Beale Air Force Base ..	60 Units	\$8,500,000
	Edwards Air Force Base.	188 Units	\$32,790,000
	Vandenberg Air Force Base.	91 Units	\$16,800,000
District of Columbia	Bolling Air Force Base	72 Units	\$9,375,000
Florida	Eglin Air Force Base ..	130 Units	\$14,080,000
	MacDill Air Force Base.	54 Units	\$9,034,000
Mississippi	Columbus Air Force Base.	100 Units	\$12,290,000
Montana	Malmstrom Air Force Base.	34 Units	\$7,570,000
Nebraska	Offutt Air Force Base	72 Units	\$12,352,000
New Mexico	Holloman Air Force Base.	76 Units	\$9,840,000
North Carolina	Seymour Johnson Air Force Base.	78 Units	\$12,187,000
North Dakota	Grand Forks Air Force Base.	42 Units	\$10,050,000
Texas	Minot Air Force Base	72 Units	\$10,756,000
	Lackland Air Force Base.	48 Units	\$7,500,000
Portugal	Lajes Field, Azores	75 Units	\$12,964,000
		Total:	\$196,088,000

1 (b) PLANNING AND DESIGN.—Using amounts appro-
2 priated pursuant to the authorization of appropriations in
3 section 2304(a)(5)(A), the Secretary of the Air Force may
4 carry out architectural and engineering services and con-
5 struction design activities with respect to the construction
6 or improvement of military family housing units in an
7 amount not to exceed \$17,471,000.

8 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
9 **UNITS.**

10 Subject to section 2825 of title 10, United States
11 Code, and using amounts appropriated pursuant to the
12 authorization of appropriations in section 2304(a)(5)(A),
13 the Secretary of the Air Force may improve existing mili-
14 tary family housing units in an amount not to exceed
15 \$129,952,000.

16 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
17 **FORCE.**

18 (a) IN GENERAL.—Funds are hereby authorized to
19 be appropriated for fiscal years beginning after September
20 30, 1999, for military construction, land acquisition, and
21 military family housing functions of the Department of the
22 Air Force in the total amount of \$1,917,191,000 as fol-
23 lows:

1 (1) For military construction projects inside the
2 United States authorized by section 2301(a),
3 \$628,133,000.

4 (2) For military construction projects outside
5 the United States authorized by section 2301(b),
6 \$76,650,000.

7 (3) For unspecified minor construction projects
8 authorized by section 2805 of title 10, United States
9 Code, \$8,741,000.

10 (4) For architectural and engineering services
11 and construction design under section 2807 of title
12 10, United States Code, \$38,264,000.

13 (5) For military housing functions:

14 (A) For construction and acquisition, plan-
15 ning and design, and improvement of military
16 family housing and facilities, \$343,511,000.

17 (B) For support of military family housing
18 (including the functions described in section
19 2833 of title 10, United States Code),
20 \$821,892,000.

21 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
22 PROJECTS.—Notwithstanding the cost variations author-
23 ized by section 2853 of title 10, United States Code, and
24 any other cost variation authorized by law, the total cost

1 of all projects carried out under section 2301 of this Act
 2 may not exceed \$628,133,000.

3 **TITLE XXIV—DEFENSE**
 4 **AGENCIES**

5 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
 6 **TION AND LAND ACQUISITION PROJECTS.**

7 (a) INSIDE THE UNITED STATES.—Using amounts
 8 appropriated pursuant to the authorization of appropria-
 9 tions in section 2405(a)(1), the Secretary of Defense may
 10 acquire real property and carry out military construction
 11 projects for the installations and locations inside the
 12 United States, and in the amounts, set forth in the fol-
 13 lowing table:

Defense Agencies: Inside the United States

Agency	Installation or location	Amount
Chemical Demilitarization Program.	Blue Grass Army Depot, Kentucky ..	\$195,800,000
Defense Education Activity ..	Marine Corps Base, Camp LeJeune, North Carolina	\$10,570,000
	Laurel Bay, South Carolina	\$2,874,000
Defense Logistics Agency	Eielson Air Force Base, Alaska	\$26,000,000
	Defense Fuel Supply Center, Elmendorf Air Force Base, Alaska	\$23,500,000
	Defense Distribution Supply Point, New Cumberland, Pennsylvania ...	\$5,000,000
	Fairchild Air Force Base, Washington	\$12,400,000
	Various Locations	\$8,900,000
Defense Manpower Data Center.	Presidio, Monterey, California	\$28,000,000
National Security Agency	Fort Meade, Maryland	\$2,946,000
Special Operations Command	Naval Amphibious Base, Coronado, California	\$6,000,000
	Fort Benning, Georgia	\$10,200,000
	Mississippi Army Ammunition Plant, Mississippi	\$12,900,000
	Fort Bragg, North Carolina	\$20,100,000
	Fleet Combat Training Center, Dam Neck, Virginia	\$4,700,000
Tri-Care Management Agency.	Fort Wainwright, Alaska	\$133,000,000
	Davis-Monthan Air Force Base, Arizona	\$10,000,000

Defense Agencies: Inside the United States—Continued

Agency	Installation or location	Amount
	Los Angeles Air Force Base, California	\$13,600,000
	Travis Air Force Base, California	\$7,500,000
	Patrick Air Force Base, Florida	\$1,750,000
	Naval Air Station, Jacksonville, Florida	\$3,780,000
	Naval Air Station, Pensacola, Florida	\$4,300,000
	Moody Air Force Base, Georgia	\$1,250,000
	Fort Riley, Kansas	\$6,000,000
	Andrews Air Force Base, Maryland	\$3,000,000
	Naval Air Station, Patuxent River, Maryland	\$4,150,000
	Marine Corps Air Station, Cherry Point, North Carolina	\$3,500,000
	Wright-Patterson Air Force Base, Ohio	\$3,900,000
	Fort Sam Houston, Texas	\$5,800,000
	Cheatham Annex, Virginia	\$1,650,000
	Naval Air Station, Norfolk, Virginia	\$4,050,000
	Fort Lewis, Washington	\$5,500,000
	Naval Air Station, Whidbey Island, Washington	\$4,700,000
	Total:	\$587,320,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2405(a)(2), the Secretary of Defense may
4 acquire real property and carry out military construction
5 projects for the installations and locations outside the
6 United States, and in the amounts, set forth in the fol-
7 lowing table:

Defense Agencies: Outside the United States

Agency	Installation or location	Amount
Defense Education Activity ..	Andersen Air Force Base, Guam	\$44,170,000
	Naval Station Rota, Spain	\$17,020,000
	Royal Air Force, Feltwell, United Kingdom	\$4,570,000
	Royal Air Force, Lakenheath, United Kingdom	\$3,770,000
Defense Logistics Agency	Andersen Air Force Base, Guam	\$24,300,000
	Moron Air Base, Spain	\$15,200,000
National Security Agency	Royal Air Force, Menwith Hill Station, United Kingdom	\$500,000
Tri-Care Management Agency.	Naval Security Group Activity, Sabana Seca, Puerto Rico	\$4,000,000
	Ramstein Air Force Base, Germany	\$7,100,000
	Yongsan, Korea	\$41,120,000

Defense Agencies: Outside the United States—Continued

Agency	Installation or location	Amount
Defense-Wide	Royal Air Force, Lakenheath, United Kingdom	\$7,100,000
	Counterdrug Forward Operating Location, Antilles	\$4,880,000
	Counterdrug Forward Operating Location, Costa Rica	\$6,726,000
	Counterdrug Forward Operating Location, Ecuador	\$31,229,000
	Total:	\$211,685,000

1 **SEC. 2402. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
2 **UNITS.**

3 Subject to section 2825 of title 10, United States
4 Code, and using amounts appropriated pursuant to the
5 authorization of appropriations in section 2405(a)(8)(A),
6 the Secretary of Defense may improve existing military
7 family housing units in an amount not to exceed \$50,000.

8 **SEC. 2403. MILITARY FAMILY HOUSING IMPROVEMENT**
9 **PROGRAM.**

10 Of the amount authorized to be appropriated pursu-
11 ant to section 2405(a)(8)(C), \$78,756,000 shall be avail-
12 able for credit to the Department of Defense Family
13 Housing Improvement Fund established by section
14 2883(a)(1) of title 10, United States Code.

15 **SEC. 2404. ENERGY CONSERVATION PROJECTS.**

16 Using amounts appropriated pursuant to the author-
17 ization of appropriations in section 2405(a)(6), the Sec-
18 retary of Defense may carry out energy conservation

1 projects under section 2865 of title 10, United States
2 Code, in the amount of \$31,900,000.

3 **SEC. 2405. AUTHORIZATION OF APPROPRIATIONS, DE-**
4 **FENSE AGENCIES.**

5 (a) IN GENERAL.—Funds are hereby authorized to
6 be appropriated for fiscal years beginning after September
7 30, 1999, for military construction, land acquisition, and
8 military family housing functions of the Department of
9 Defense (other than the military departments) in the total
10 amount of \$1,842,582,000 as follows:

11 (1) For military construction projects inside the
12 United States authorized by section 2401(a),
13 \$288,320,000.

14 (2) For military construction projects outside
15 the United States authorized by section 2401(b),
16 \$211,685,000.

17 (3) For unspecified minor construction projects
18 under section 2805 of title 10, United States Code,
19 \$18,618,000.

20 (4) For contingency construction projects of the
21 Secretary of Defense under section 2804 of title 10,
22 United States Code, \$938,000.

23 (5) For architectural and engineering services
24 and construction design under section 2807 of title
25 10, United States Code, \$33,664,000.

1 (6) For energy conservation projects authorized
2 by section 2404, \$31,900,000.

3 (7) For base closure and realignment activities
4 as authorized by the Defense Base Closure and Re-
5 alignment Act of 1990 (part A of title XXIX of
6 Public Law 101–510; 10 U.S.C. 2687 note),
7 \$892,911,000.

8 (8) For military family housing functions:

9 (A) For improvement of military family
10 housing and facilities, \$50,000.

11 (B) For support of military housing (in-
12 cluding functions described in section 2833 of
13 title 10, United States Code), \$41,440,000 of
14 which not more than \$35,639,000 may be obli-
15 gated or expended for the leasing of military
16 family housing units worldwide.

17 (C) For credit to the Department of De-
18 fense Family Housing Improvement Fund as
19 authorized by section 2403, \$78,756,000.

20 (9) For the construction of the Ammunition
21 Demilitarization Facility, Anniston Army Depot,
22 Alabama, authorized by section 2101(a) of the Mili-
23 tary Construction Authorization Act for Fiscal Year
24 1991 (division B of Public Law 101–510; Stat.
25 1758), \$7,000,000.

1 (10) For the construction of the Ammunition
2 Demilitarization Facility, Pine Bluff Arsenal, Arkan-
3 sas, authorized by section 2401 of the Military Con-
4 struction Authorization Act for Fiscal Year 1995
5 (division B of Public Law 103–337; 108 Stat.
6 3040), as amended by section 2407 of the Military
7 Construction Authorization Act for Fiscal Year 1996
8 (division B of Public Law 104–106; 110 Stat. 539),
9 section 2408 of the Military Construction Authoriza-
10 tion Act for Fiscal Year 1998 (division B of Public
11 Law 105–85; 111 Stat. 1982), and section 2406 of
12 the Military Construction Authorization Act for Fis-
13 cal Year 1999 (division B of Public Law 105–261;
14 112 Stat. 2197), \$61,800,000.

15 (11) For the construction of the Ammunition
16 Demilitarization Facility, Umatilla Army Depot, Or-
17 egon, authorized by section 2401 of the Military
18 Construction Authorization Act for Fiscal Year
19 1995, as amended by section 2407 of the Military
20 Construction Authorization Act for Fiscal Year
21 1996, section 2408 of the Military Construction Au-
22 thorization Act for Fiscal Year 1998, and section
23 2406 of the Military Construction Authorization Act
24 for Fiscal Year 1999, \$35,900,000.

1 (12) For the construction of the Ammunition
2 Demilitarization Facility, Pueblo Chemical Activity,
3 Colorado, authorized by section 2401(a) of the Mili-
4 tary Construction Authorization Act for Fiscal Year
5 1997 (division B of Public Law 104–201; 110 Stat.
6 2775), as amended by section 2406 of this Act,
7 \$11,800,000.

8 (13) For the construction of the Ammunition
9 Demilitarization Facility, Newport Army Depot, In-
10 diana, authorized by section 2401(a) of the Military
11 Construction Authorization Act for Fiscal Year 1999
12 (112 Stat. 2193), \$61,200,000.

13 (14) For the construction of the Ammunition
14 Demilitarization Facility, Aberdeen Proving Ground,
15 Maryland, authorized by section 2401(a) of the Mili-
16 tary Construction Authorization Act for Fiscal Year
17 1999, \$66,600,000.

18 (b) LIMITATION OF TOTAL COST OF CONSTRUCTION
19 PROJECTS.—Notwithstanding the cost variation author-
20 ized by section 2853 of title 10, United States Code, and
21 any other cost variations authorized by law, the total cost
22 of all projects carried out under section 2401 of this Act
23 may not exceed—

1 (1) the total amount authorized to be appro-
2 priated pursuant to paragraphs (1) and (2) of sub-
3 section (a);

4 (2) \$115,000,000 (the balance of the amount
5 authorized under section 2401(a) for the construc-
6 tion of the hospital replacement, Fort Wainwright,
7 Alaska); and

8 (3) \$184,000,000 (the balance of the amount
9 authorized under section 2401(a) for the construc-
10 tion of the Ammunition Demilitarization Facility,
11 Blue Grass Army Depot, Kentucky).

12 **SEC. 2406. MODIFICATION OF AUTHORITY TO CARRY OUT**
13 **CERTAIN FISCAL YEAR 1997 PROJECT.**

14 The table in section 2401 of the Military Construc-
15 tion Authorization Act for Fiscal Year 1997 (division B
16 of Public Law 104–201; 110 Stat. 2775), under the agen-
17 cy heading relating to Chemical Demilitarization Program,
18 is amended in the item relating to Pueblo Chemical Activ-
19 ity, Colorado, by striking “\$179,000,000” in the amount
20 column and inserting “\$203,500,000”.

1 **TITLE XXV—NORTH ATLANTIC**
2 **TREATY ORGANIZATION SE-**
3 **CURITY INVESTMENT PRO-**
4 **GRAM**

5 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
6 **ACQUISITION PROJECTS.**

7 The Secretary of Defense may make contributions for
8 the North Atlantic Treaty Organization Security Invest-
9 ment program as provided in section 2806 of title 10,
10 United States Code, in an amount not to exceed the sum
11 of the amount authorized to be appropriated for this pur-
12 pose in section 2502 and the amount collected from the
13 North Atlantic Treaty Organization as a result of con-
14 struction previously financed by the United States.

15 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

16 Funds are hereby authorized to be appropriated for
17 fiscal years beginning after September 30, 1999, for con-
18 tributions by the Secretary of Defense under section 2806
19 of title 10, United States Code, for the share of the United
20 States of the cost of projects for the North Atlantic Treaty
21 Organization Security Investment program authorized by
22 section 2501, in the amount of \$172,472,000.

1 **TITLE XXVI—GUARD AND**
2 **RESERVE FORCES FACILITIES**

3 **SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUC-**
4 **TION AND LAND ACQUISITION PROJECTS.**

5 There are authorized to be appropriated for fiscal
6 years beginning after September 30, 1999, for the costs
7 of acquisition, architectural and engineering services, and
8 construction of facilities for the Guard and Reserve
9 Forces, and for contributions therefor, under chapter
10 1803 of title 10, United States Code (including the cost
11 of acquisition of land for those facilities), the following
12 amounts:

13 (1) For the Department of the Army—

14 (A) for the Army National Guard of the
15 United States, \$179,271,000; and

16 (B) for the Army Reserve, \$115,185,000.

17 (2) For the Department of the Navy, for the
18 Naval and Marine Corps Reserve, \$23,045,000.

19 (3) For the Department of the Air Force—

20 (A) for the Air National Guard of the
21 United States, \$232,340,000; and

22 (B) for the Air Force Reserve,
23 \$34,864,000.

1 **TITLE XXVII—EXPIRATION AND**
2 **EXTENSION OF AUTHORIZA-**
3 **TIONS**

4 **SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND**
5 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
6 **LAW.**

7 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE
8 YEARS.—Except as provided in subsection (b), all author-
9 izations contained in titles XXI through XXVI for military
10 construction projects, land acquisition, family housing
11 projects and facilities, and contributions to the North At-
12 lantic Treaty Organization Security Investment program
13 (and authorizations of appropriations therefor) shall ex-
14 pire on the later of—

15 (1) October 1, 2002; or

16 (2) the date of the enactment of an Act author-
17 izing funds for military construction for fiscal year
18 2003.

19 (b) EXCEPTION.—Subsection (a) shall not apply to
20 authorizations for military construction projects, land ac-
21 quisition, family housing projects and facilities, and con-
22 tributions to the North Atlantic Treaty Organization Se-
23 curity Investment program (and authorizations of appro-
24 priations therefor), for which appropriated funds have
25 been obligated before the later of—

1 (1) October 1, 2002; or

2 (2) the date of the enactment of an Act author-
 3 izing funds for fiscal year 2003 for military con-
 4 struction projects, land acquisition, family housing
 5 projects and facilities, or contributions to the North
 6 Atlantic Treaty Organization Security Investment
 7 program.

8 **SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 9 **FISCAL YEAR 1997 PROJECTS.**

10 (a) EXTENSIONS.—Notwithstanding section 2701 of
 11 the Military Construction Authorization Act for Fiscal
 12 Year 1997 (division B of Public Law 104–201; 110 Stat.
 13 2782), authorizations for the projects set forth in the ta-
 14 bles in subsection (b), as provided in sections 2101, 2202,
 15 and 2601 of that Act and amended by section 2406 of
 16 this Act, shall remain in effect until October 1, 2000, or
 17 the date of the enactment of an Act authorizing funds for
 18 military construction for fiscal year 2001, whichever is
 19 later.

20 (b) TABLES.—The tables referred to in subsection (a)
 21 are as follows:

Navy: Extension of 1997 Project Authorizations

State	Installation or loca- tion	Project	Amount
Florida	Naval Station Mayport	Family Housing Construction (100 units).	\$10,000,000
Maine	Naval Station Bruns- wick.	Family Housing Construction (72 units).	\$10,925,000

Navy: Extension of 1997 Project Authorizations—Continued

State	Installation or location	Project	Amount
North Carolina	Marine Corps Base Camp Lejuene.	Family Housing Construction (94 units).	\$10,110,000
South Carolina	Marine Corps Air Sta- tion Beaufort.	Family Housing Construction (140 units).	\$14,000,000
Texas	Naval Complex Corpus Christi.	Family Housing Construction (104 units).	\$11,675,000
	Naval Air Station Kingsville.	Family Housing Construction (48 units).	\$7,550,000
Virginia	Marine Corps Combat Development Com- mand, Quantico.	Sanitary Fill	\$8,900,000
Washington	Naval Station Everett	Family Housing Construction (100 units).	\$15,015,000

Army National Guard: Extension of 1997 Project Authorization

State	Installation or location	Project	Amount
Mississippi	Camp Shelby	Multipurpose Range.	\$5,000,000

Defense Agencies: Extension of 1997 Project Authorization

State	Installation or location	Project	Amount
Colorado	Pueblo Chemical Activ- ity.	Ammunition Demilitariza- tion Facility.	\$179,000,000

1 **SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
2 **FISCAL YEAR 1996 PROJECTS.**

3 (a) EXTENSIONS.—Notwithstanding section 2701 of
4 the Military Construction Authorization Act for Fiscal
5 Year 1996 (division B of Public Law 104–106; 110 Stat.
6 541), authorizations for the projects set forth in the tables
7 in subsection (a), as provided in sections 2202 and 2601
8 of that Act and extended by section 2702 of the Military
9 Construction Authorization Act for Fiscal Year 1999 (di-
10 vision B of Public Law 105–261; 112 Stat. 2199), shall

1 remain in effect until October 1, 2000, or the date of the
 2 enactment of an Act authorizing funds for military con-
 3 struction for fiscal year 2001, whichever is later.

4 (b) TABLES.—The tables referred to in subsection (a)
 5 are as follows:

Navy: Extension of 1996 Project Authorization

State	Installation or loca- tion	Project	Amount
California	Camp Pendleton	Family Housing Construction (138 units).	\$20,000,000

Army National Guard: Extension of 1996 Project Authorization

State	Installation or loca- tion	Project	Amount
Missouri	National Guard Train- ing Site, Jefferson City.	Multipurpose Range.	\$2,236,000

6 **SEC. 2704. EFFECTIVE DATE.**

7 Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI
 8 shall take effect on the later of—

9 (1) October 1, 1999; or

10 (2) the date of the enactment of this Act.

1 **TITLE XXVIII—GENERAL**
2 **PROVISIONS**
3 **Subtitle A—Military Construction**
4 **Program and Military Family**
5 **Housing Program Changes**

6 **SEC. 2801. EXEMPTION FROM NOTICE AND WAIT REQUIRE-**
7 **MENTS OF MILITARY CONSTRUCTION**
8 **PROJECTS SUPPORTED BY BURDENSARING**
9 **FUNDS UNDERTAKEN FOR WAR OR NATIONAL**
10 **EMERGENCY.**

11 Section 2350j of title 10, United States Code, is
12 amended—

13 (1) in subsection (e), by adding at the end the
14 following new paragraph:

15 “(3)(A) A military construction project under sub-
16 section (d) may be carried out without regard to the re-
17 quirement in paragraph (1) and the limitation in para-
18 graph (2) if the project is necessary to support the armed
19 forces in the country or region in which the project is car-
20 ried out by reason of a declaration of war, or a declaration
21 by the President of a national emergency pursuant to the
22 National Emergencies Act (50 U.S.C. 1601 et seq.), that
23 is in force at the time of the commencement of the project.

24 “(B) When a decision is made to carry out a military
25 construction project under subparagraph (A), the Sec-

1 retary of Defense shall submit to the congressional com-
 2 mittees specified in subsection (g)—

3 “(i) a notice of the decision; and

4 “(ii) a statement of the current estimated cost
 5 of the project, including the cost of any real prop-
 6 erty transaction in connection with the project.”;
 7 and

8 (2) in subsection (g), by striking “subsection
 9 (e)(1)” and inserting “subsection (e)”.

10 **SEC. 2802. PROHIBITION ON CARRYING OUT MILITARY CON-**
 11 **STRUCTION PROJECTS FUNDED USING IN-**
 12 **CREMENTAL FUNDING.**

13 (a) SENSE OF CONGRESS.—It is the sense of Con-
 14 gress that—

15 (1) the President should request in the budget
 16 for each fiscal year submitted to Congress under sec-
 17 tion 1105 of title 31, United States Code, sufficient
 18 amounts to fund fully each military construction and
 19 family housing construction project proposed to be
 20 authorized in such fiscal year; and

21 (2) Congress should authorize and appropriate
 22 each fiscal year amounts sufficient to fund fully each
 23 military construction and family housing construc-
 24 tion project authorized in such fiscal year.

1 (b) PROHIBITION ON INCREMENTAL FUNDING OF
2 MILITARY CONSTRUCTION PROJECTS.—Section 2802 of
3 title 10, United States Code, is amended by adding at the
4 end the following new subsection:

5 “(c) The Secretary of Defense and the Secretaries of
6 the military departments may not obligate funds for a
7 military construction project (including a military family
8 housing project) otherwise authorized by law unless the
9 total amount of appropriations allocated for obligation and
10 expenditure for the project as of the initial obligation of
11 funds for the project is sufficient, without additional
12 funds, to provide for the construction of a usable facility
13 meeting the purpose of the project.”.

14 **SEC. 2803. DEFENSE CHEMICAL DEMILITARIZATION CON-**
15 **STRUCTION ACCOUNT.**

16 (a) ESTABLISHMENT.—Subchapter I of chapter 169
17 of title 10, United States Code, is amended by adding at
18 the end the following:

19 **“§ 2814. Defense Chemical Demilitarization Construc-**
20 **tion Account**

21 “(a) ESTABLISHMENT.—There is established on the
22 books of the Treasury the Defense Chemical Demilitariza-
23 tion Construction Account (in this section referred to as
24 the ‘Account’).

1 “(b) CREDITS TO ACCOUNT.—There shall be credited
2 to the Account amounts authorized for and appropriated
3 to the Account.

4 “(c) USE OF AMOUNTS IN ACCOUNT.—Amounts in
5 the Account shall be available to the Secretary of Defense
6 for carrying out military construction projects authorized
7 by law in support of the chemical demilitarization activi-
8 ties of the Department of Defense under section 1412 of
9 the Department of Defense Authorization Act, 1986 (50
10 U.S.C. 1521) and other provisions of law.

11 “(d) LIMITATION ON OBLIGATION AND EXPENDI-
12 TURE.—(1) Subject to paragraph (2), amounts appro-
13 priated to the Account for a military construction project
14 shall remain available for obligation and expenditure for
15 the project in the fiscal year for which appropriated and
16 the two succeeding fiscal years.

17 “(2) Amounts appropriated for a military construc-
18 tion project for a fiscal year shall remain available for the
19 project until expended without regard to the limitation
20 specified in paragraph (1) if—

21 “(A) any portion of such amounts are obligated
22 for the project before the end of the fiscal years re-
23 ferred to in that paragraph; or

24 “(B) the availability of such amounts for the
25 project are otherwise extended by law.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
 2 at the beginning of that subchapter is amended by adding
 3 at the end the following new item:

“2814. Defense Chemical Demilitarization Construction Account.”.

4 **SEC. 2804. LIMITATION ON AUTHORITY REGARDING ANCIL-**
 5 **LARY SUPPORTING FACILITIES UNDER AL-**
 6 **TERNATIVE AUTHORITY FOR ACQUISITION**
 7 **AND CONSTRUCTION OF MILITARY HOUSING.**

8 Section 2881 of title 10, United States Code, is
 9 amended—

10 (1) by inserting “(a) IN GENERAL.—” before
 11 “Any project”; and

12 (2) by adding at the end the following new sub-
 13 section:

14 “(b) LIMITATION.—A project referred to in sub-
 15 section (a) may not include the acquisition or construction
 16 of an ancillary supporting facility if, as determined by the
 17 Secretary concerned, the facility is to be used for providing
 18 merchandise or services in direct competition with—

19 “(1) the Army and Air Force Exchange Service;

20 “(2) the Navy Exchange Service Command;

21 “(3) a Marine Corps exchange;

22 “(4) the Defense Commissary Agency; or

23 “(5) any nonappropriated fund activity of the
 24 Department of Defense for the morale, welfare, and
 25 recreation of members of the armed forces.”.

1 **SEC. 2805. AVAILABILITY OF FUNDS FOR PLANNING AND**
2 **DESIGN IN CONNECTION WITH ACQUISITION**
3 **OF RESERVE COMPONENT FACILITIES.**

4 Section 18233(f)(1) of title 10, United States Code,
5 is amended by inserting “and design” after “planning”.

6 **SEC. 2806. MODIFICATION OF LIMITATIONS ON RESERVE**
7 **COMPONENT FACILITY PROJECTS FOR CER-**
8 **TAIN SAFETY PROJECTS.**

9 (a) EXEMPTION FROM NOTICE AND WAIT REQUIRE-
10 MENT.—Subsection (a)(2) of section 18233a of title 10,
11 United States Code, is amended by adding at the end the
12 following new subparagraph:

13 “(C) An unspecified minor military construction
14 project (as defined in section 2805(a) of this title)
15 that is intended solely to correct a deficiency that is
16 life-threatening, health-threatening, or safety-threat-
17 ening.”.

18 (b) AVAILABILITY OF OPERATION AND MAINTENANCE FUNDS.—Subsection (b) of that section is amend-
19 ed to read as follows:
20

21 “(b) Under such regulations as the Secretary of De-
22 fense may prescribe, the Secretary may spend from appro-
23 priations available for operation and maintenance amounts
24 necessary to carry out any project authorized under sec-
25 tion 18233(a) of this title costing not more than—

1 “(1) the amount specified in section 2805(e)(1)
 2 of this title, in the case of a project intended solely
 3 to correct a deficiency that is life-threatening,
 4 health-threatening, or safety-threatening; or

5 “(2) the amount specified in section 2805(e)(2)
 6 of this title, in the case of any other project.”.

7 **Subtitle B—Real Property and**
 8 **Facilities Administration**

9 **SEC. 2811. EXTENSION OF AUTHORITY FOR LEASES OF**
 10 **PROPERTY FOR SPECIAL OPERATIONS AC-**
 11 **TIVITIES.**

12 Section 2680(d) of title 10, United States Code, is
 13 amended by striking “September 30, 2000” and inserting
 14 “September 30, 2005”.

15 **SEC. 2812. ENHANCEMENT OF AUTHORITY RELATING TO**
 16 **UTILITY PRIVATIZATION.**

17 (a) EXTENDED CONTRACTS FOR UTILITY SERV-
 18 ICES.—Section 2688 of title 10, United States Code, is
 19 amended—

20 (1) by redesignating subsections (f), (g), and
 21 (h) as subsections (h), (i), and (j), respectively; and

22 (2) by inserting after subsection (e) the fol-
 23 lowing new subsection (f):

24 “(f) EXTENDED CONTRACTS FOR UTILITY SERV-
 25 ICES.—(1) The Secretary concerned may, in connection

1 with a conveyance of a utility system under this section,
2 enter into a contract for the provision of utility services.

3 “(2) Notwithstanding the proviso in section
4 201(a)(3) of the Federal Property and Administrative
5 Services Act of 1949 (40 U.S.C. 481(a)(3)), the term of
6 a contract under this subsection may be up to 50 years.”.

7 (b) AVAILABILITY OF MILITARY CONSTRUCTION
8 FUNDS TO FACILITATE CONVEYANCES.—That section is
9 further amended by inserting after subsection (f), as
10 added by subsection (a) of this section, the following new
11 subsection (g):

12 “(g) AVAILABILITY OF MILITARY CONSTRUCTION
13 FUNDS TO FACILITATE CONVEYANCES.—(1) Funds ap-
14 propriated for a military construction project authorized
15 by law for the construction, repair, or replacement of a
16 utility system to be conveyed under this section may, in-
17 stead of being used for the project, be used for a contribu-
18 tion by the Secretary concerned to the utility company or
19 entity to which the utility system is being conveyed for
20 the costs of the utility company or entity with respect to
21 the construction, repair, or replacement of the utility sys-
22 tem.

23 “(2) The Secretary concerned shall take into account
24 any contribution under this subsection with respect to a
25 utility system for purposes of the economic analysis re-

1 required for the conveyance of the utility system under sub-
 2 section (e)(1).”.

3 **Subtitle C—Defense Base Closure**
 4 **and Realignment**

5 **SEC. 2821. CONVEYANCE OF PROPERTY AT INSTALLATIONS**
 6 **CLOSED OR REALIGNED UNDER THE BASE**
 7 **CLOSURE LAWS WITHOUT CONSIDERATION**
 8 **FOR ECONOMIC REDEVELOPMENT PUR-**
 9 **POSES.**

10 (a) 1990 LAW.—Section 2905(b)(4) of the Defense
 11 Base Closure and Realignment Act of 1990 (part A of title
 12 XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is
 13 amended—

14 (1) in subparagraph (A)—

15 (A) by inserting “or realigned” after
 16 “closed”; and

17 (B) by inserting “for purposes of creating
 18 jobs at the installation” before the period at the
 19 end; and

20 (2) by striking subparagraph (B) and inserting
 21 the following new subparagraph (B):

22 “(B)(i) Subject to clauses (ii) and (iii), the transfer
 23 of property under this paragraph shall be for consideration
 24 at the fair market value of the property.

1 “(ii) The transfer of property under this paragraph
2 shall be without consideration in the case of an installation
3 located in a rural area whose closure or realignment under
4 this part will have a substantial adverse impact on the
5 economy of the communities in the vicinity of the installa-
6 tion.

7 “(iii) The transfer of property of an installation
8 under this paragraph shall also be without consideration
9 if the redevelopment authority with respect to the
10 installation—

11 “(I) provides in the agreement for the transfer
12 of such property that the proceeds of any sale or
13 lease of such property, or portion of such property,
14 received by the redevelopment authority during the
15 period after the date of the transfer of such property
16 agreed upon by the redevelopment authority and the
17 Secretary (but not less than 10 years after that
18 date) shall be used for economic redevelopment of
19 the installation or related to the installation; and

20 “(II) accepts control of such property under the
21 agreement within a reasonable time (as determined
22 by the Secretary) after the completion of the prop-
23 erty disposal record of decision or the entry of a
24 finding of no significant environmental impact with

1 respect to the transfer under the National Environ-
2 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

3 “(iv) For purposes of clause (iii), the following activi-
4 ties shall be treated as economic redevelopment of an in-
5 stallation or related to an installation:

6 “(I) Road construction or improvement.

7 “(II) Construction or improvement of transpor-
8 tation management facilities.

9 “(III) Construction or improvement of storm
10 and sanitary sewers.

11 “(IV) Construction or improvement of facilities
12 for police or fire protection services.

13 “(V) Construction or improvement of other
14 public facilities.

15 “(VI) Construction or improvement of utilities.

16 “(VII) Rehabilitation or improvement of build-
17 ings, including preservation of historic property.

18 “(VIII) Construction, improvement, or acquisi-
19 tion of pollution prevention equipment or facilities.

20 “(IX) Demolition of facilities.

21 “(X) Property management activities, including
22 removal of hazardous material, landscaping, grading,
23 and other site or public improvements.

24 “(XI) Planning and marketing the development
25 and reuse of the installation.

1 “(v) An agreement for the transfer of property of an
2 installation under clause (iii)(I) shall permit the Secretary
3 to recoup from the redevelopment authority concerned
4 such portion as the Secretary determines appropriate of
5 the amount of any proceeds of the sale or lease of the
6 property that the redevelopment authority does not use to
7 support economic redevelopment of the installation or re-
8 lated to the installation for the period specified in the
9 agreement.”.

10 (b) 1988 LAW.—Section 204(b)(4) of the Defense
11 Authorization Amendments and Base Closure and Re-
12 alignment Act (Public Law 100–526; 10 U.S.C. 2687
13 note) is amended—

14 (1) in subparagraph (A)—

15 (A) by inserting “or realigned” after
16 “closed”; and

17 (B) by inserting “for purposes of creating
18 jobs at the installation” before the period at the
19 end; and

20 (2) by striking subparagraph (B) and inserting
21 the following new subparagraph (B):

22 “(B)(i) Subject to clauses (ii) and (iii), the transfer
23 of property under this paragraph shall be for consideration
24 at the fair market value of the property.

1 “(ii) The transfer of property under this paragraph
2 shall be without consideration in the case of an installation
3 located in a rural area whose closure or realignment under
4 this title will have a substantial adverse impact on the
5 economy of the communities in the vicinity of the installa-
6 tion.

7 “(iii) The transfer of property of an installation
8 under this paragraph shall also be without consideration
9 if the redevelopment authority with respect to the
10 installation—

11 “(I) provides in the agreement for the transfer
12 of such property that the proceeds of any sale or
13 lease of such property, or portion of such property,
14 received by the redevelopment authority during the
15 period after the date of the transfer of such property
16 agreed upon by the redevelopment authority and the
17 Secretary (but not less than 10 years after such
18 date) shall be used for economic redevelopment of
19 the installation or related to the installation; and

20 “(II) accepts control of such property under the
21 agreement within a reasonable time (as determined
22 by the Secretary) after the completion of the prop-
23 erty disposal record of decision or the entry of a
24 finding of no significant environmental impact with

1 respect to the transfer under the National Environ-
2 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

3 “(iv) For purposes of clause (iii), the following activi-
4 ties shall be treated as economic redevelopment of an in-
5 stallation or related to an installation:

6 “(I) Road construction or improvement.

7 “(II) Construction or improvement of transpor-
8 tation management facilities.

9 “(III) Construction or improvement of storm
10 and sanitary sewers.

11 “(IV) Construction or improvement of facilities
12 for police or fire protection services.

13 “(V) Construction or improvement of other
14 public facilities.

15 “(VI) Construction or improvement of utilities.

16 “(VII) Rehabilitation or improvement of build-
17 ings, including preservation of historic property.

18 “(VIII) Construction, improvement, or acquisi-
19 tion of pollution prevention equipment or facilities.

20 “(IX) Demolition of facilities.

21 “(X) Property management activities, including
22 removal of hazardous material, landscaping, grading,
23 and other site or public improvements.

24 “(XI) Planning and marketing the development
25 and reuse of the installation.

1 “(v) An agreement for the transfer of property of an
2 installation under clause (iii)(I) shall permit the Secretary
3 to recoup from the redevelopment authority concerned
4 such portion as the Secretary determines appropriate of
5 the amount of any proceeds of the sale or lease of the
6 property that the redevelopment authority does not use to
7 support economic redevelopment of the installation or re-
8 lated to the installation for the period specified in the
9 agreement.”.

10 (c) APPLICABILITY TO CERTAIN PRIOR AGREE-
11 MENTS.—(1)(A) Subject to subparagraph (B), the Sec-
12 retary of Defense may modify an agreement for the trans-
13 fer of property under section 2905(b)(4) of the Defense
14 Base Closure and Realignment Act of 1990, or under sec-
15 tion 204(b)(4) of the Defense Authorization Amendments
16 and Base Closure and Realignment Act, that was entered
17 into before April 21, 1999, for purposes of the com-
18 promise, waiver, adjustment, release, or reduction of any
19 right, title, claim, lien, or demand of the United States
20 under the agreement.

21 (B) The Secretary may modify an agreement under
22 this paragraph only if—

23 (i) the Secretary determines that, as a result of
24 changed economic circumstances, the modification is
25 necessary to provide for economic redevelopment of

1 the installation concerned or related to that installa-
2 tion;

3 (ii) the terms of the modification do not require
4 the return of any payments made to the Secretary
5 under the agreement before the date of the modifica-
6 tion; and

7 (iii) the terms of the modification do not com-
8 promise, waive, adjust, release, or reduce any right,
9 title, claim, lien, or demand of the United States
10 under the agreement with respect to the receipt by
11 the United States of in-kind consideration.

12 (C) In modifying an agreement under subparagraph
13 (A), the Secretary may waive some or all future payments
14 to the United States under the agreement to the extent
15 that the Secretary determines such waiver is necessary.

16 (D) In modifying an agreement under subparagraph
17 (A), the Secretary and the redevelopment authority con-
18 cerned shall include in the agreement provisions consistent
19 with clauses (iii)(I) and (v) of section 2905(b)(4)(B) of
20 the Defense Base Closure and Realignment Act of 1990
21 (as amended by this section), or clauses (iii)(I) and (v)
22 under section 204(b)(4)(B) of the Defense Authorization
23 Amendments and Base Closure and Realignment Act (as
24 so amended), as applicable.

1 (2)(A) The Secretary shall, upon the request of the
2 redevelopment authority concerned, modify an agreement
3 for the transfer of property under section 2905(b)(4) of
4 the Defense Base Closure and Realignment Act of 1990,
5 or under section 204(b)(4) of the Defense Authorization
6 Amendments and Base Closure and Realignment Act, that
7 was entered into between April 21, 1999, and the date
8 of the enactment of this Act in order to conform the agree-
9 ment to the provisions of subparagraph (B) of such section
10 2905(b)(4), as so amended, or subparagraph (B) of such
11 section 204(b)(4), as so amended.

12 (B) A modification of an agreement under this para-
13 graph may compromise, waive, adjust, release, or reduce
14 any right, title, claim, lien, or demand of the United States
15 under the agreement.

16 (d) REPEAL OF CERTAIN OBSOLETE AUTHORITY.—

17 (1) Section 204(b)(4)(D) of the Defense Authorization
18 Amendments and Base Closure and Realignment Act is
19 amended—

20 (A) by striking “(i)”; and

21 (B) by striking clause (ii).

22 (2) Section 2905(b)(4)(D) of the Defense Base Clo-
23 sure and Realignment Act of 1990 is amended—

24 (A) by striking “(i)”; and

25 (B) by striking clause (ii).

1 **Subtitle D—Land Conveyances**

2 **PART I—ARMY CONVEYANCES**

3 **SEC. 2831. LAND CONVEYANCE, ARMY RESERVE CENTER,** 4 **BANGOR, MAINE.**

5 (a) CONVEYANCE AUTHORIZED.—(1) The Secretary
6 of the Army may convey, without consideration, to the
7 City of Bangor, Maine (in this section referred to as the
8 “City”), all right, title, and interest of the United States
9 in and to a parcel of real property, including any improve-
10 ments thereon, consisting of approximately 5 acres and
11 containing the Army Reserve Center in Bangor, Maine,
12 known as the Harold S. Slager Army Reserve Center. The
13 parcel has been determined to be excess to the needs of
14 the Army.

15 (2) The purpose of the conveyance is to permit the
16 City to use the property for educational purposes.

17 (b) ALTERNATIVE CONVEYANCE AUTHORITY.—If at
18 the time of the conveyance authorized by subsection (a)
19 the Secretary has transferred jurisdiction over any of the
20 property to be conveyed to the Administrator of General
21 Services, the Administrator shall make the conveyance of
22 such property under this section.

23 (c) FEDERAL SCREENING.—(1) If any of the prop-
24 erty authorized to be conveyed by subsection (a) of this
25 section is under the jurisdiction of the Administrator as

1 of the date of the enactment of this Act, the Administrator
2 shall conduct with respect to such property the screening
3 for further Federal use otherwise required by subsection
4 (a) of section 2696 of title 10, United States Code.

5 (2) Subsections (b) through (d) of such section 2696
6 shall apply to the screening under paragraph (1) as if the
7 screening were a screening conducted under subsection (a)
8 of such section 2696. For purposes of such subsection (b),
9 the date of the enactment of the provision of law author-
10 izing the conveyance of the property authorized to be con-
11 veyed by this section shall be the date of the enactment
12 of this Act.

13 (d) REVERSIONARY INTEREST.—If during the 5-year
14 period beginning on the date the conveyance authorized
15 by subsection (a) is made the Secretary determines that
16 the property conveyed under that subsection is not being
17 used for the purpose specified in paragraph (2) of that
18 subsection, all right, title, and interest in and to the prop-
19 erty shall revert to the United States, and the United
20 States shall have the right of immediate entry onto the
21 property. Any determination of the Secretary under this
22 subsection shall be made on the record after an oppor-
23 tunity for a hearing.

24 (e) DESCRIPTION OF PROPERTY.—The exact acreage
25 and legal description of the real property to be conveyed

1 under subsection (a) shall be determined by a survey satis-
 2 factory to the official having jurisdiction over the property
 3 at the time of the conveyance. The cost of the survey shall
 4 be borne by the City.

5 (f) ADDITIONAL TERMS AND CONDITIONS.—The offi-
 6 cial having jurisdiction over the property authorized to be
 7 conveyed by subsection (a) at the time of the conveyance
 8 may require such additional terms and conditions in con-
 9 nection with the conveyance as that official considers ap-
 10 propriate to protect the interest of the United States.

11 **PART II—NAVY CONVEYANCES**

12 **SEC. 2841. CLARIFICATION OF LAND EXCHANGE, NAVAL RE-** 13 **SERVE READINESS CENTER, PORTLAND,** 14 **MAINE.**

15 (a) CLARIFICATION ON CONVEYEE.—Subsection
 16 (a)(1) of section 2852 of the Military Construction Au-
 17 thorization Act for Fiscal Year 1999 (division B of Public
 18 Law 105–261; 112 Stat. 2220) is amended by striking
 19 “Gulf of Maine Aquarium Development Corporation, Port-
 20 land, Maine (in this section referred to as the ‘Corpora-
 21 tion’)” and inserting “Gulf of Maine Aquarium Develop-
 22 ment Corporation, Portland, Maine, a non-profit edu-
 23 cation and research institute (in this section referred to
 24 as the ‘Aquarium’)”.

1 (b) CONFORMING AMENDMENTS.—That section is
2 further amended by striking “the Corporation” each place
3 it appears and inserting “the Aquarium”.

4 **SEC. 2842. LAND CONVEYANCE, NEWPORT, RHODE ISLAND.**

5 (a) CONVEYANCE AUTHORIZED.—The Secretary of
6 the Navy may convey, without consideration, to the City
7 of Newport, Rhode Island (in this section referred to as
8 the “City”), all right, title, and interest of the United
9 States in and to a parcel of real property (together with
10 any improvements thereon) consisting of approximately 15
11 acres and known familiarly as the Ranger Road site. The
12 real property is bounded by Naval Station Newport, Rhode
13 Island, to the north and west, by the Town of Middletown,
14 Rhode Island, to the north and east, and by Admiral
15 Kalbfus Road, the Jai Alai fronton, the Newport City
16 Yard, and the ramp to Newport Bridge to the south.

17 (b) CONDITION.—The conveyance authorized by sub-
18 section (a) shall be subject to the condition that the City
19 use the conveyed property for one or more of the following
20 purposes:

21 (1) A satellite campus of the Community Col-
22 lege of Rhode Island.

23 (2) A center for child day care and early child-
24 hood education.

1 (3) A center for offices of the Government of
2 the State of Rhode Island.

3 (c) REVERSIONARY INTEREST.—If during the 5-year
4 period beginning on the date the Secretary makes the con-
5 veyance authorized by subsection (a) the Secretary deter-
6 mines that the conveyed property is not being used for
7 any of the purposes specified in subsection (b), all right,
8 title, and interest in and to the property, including any
9 improvements thereon, shall revert to the United States,
10 and the United States shall have the right of immediate
11 entry onto the property. Any determination of the Sec-
12 retary under this subsection shall be made on the record
13 after an opportunity for a hearing.

14 (d) LEGAL DESCRIPTION OF PROPERTY.—The exact
15 acreage and legal description of the real property to be
16 conveyed under subsection (a) shall be determined by a
17 survey acceptable to the Secretary. The cost of the survey
18 shall be borne by the City.

19 (e) ADDITIONAL TERMS AND CONDITIONS.—The
20 Secretary may require such additional terms and condi-
21 tions in connection with the conveyance authorized by sub-
22 section (a) as the Secretary considers appropriate to pro-
23 tect the interests of the United States.

1 **SEC. 2843. LAND CONVEYANCE, NAVAL WEAPONS INDUS-**
2 **TRIAL RESERVE PLANT NO. 387, DALLAS,**
3 **TEXAS.**

4 (a) CONVEYANCE AUTHORIZED.—(1) The Secretary
5 of the Navy may convey to the City of Dallas, Texas (in
6 this section referred to as the “City”), all right, title, and
7 interest of the United States in and to parcels of real prop-
8 erty consisting of approximately 314 acres and comprising
9 the Naval Weapons Industrial Reserve Plant No. 387,
10 Dallas, Texas.

11 (2)(A) As part of the conveyance authorized by para-
12 graph (1), the Secretary may convey to the City such im-
13 provements, equipment, fixtures, and other personal prop-
14 erty located on the parcels referred to in that paragraph
15 as the Secretary determines to be not required by the
16 Navy for other purposes.

17 (B) The Secretary may permit the City to review and
18 inspect the improvements, equipment, fixtures, and other
19 personal property located on the parcels referred to in
20 paragraph (1) for purposes of the conveyance authorized
21 by this paragraph.

22 (b) AUTHORITY TO CONVEY WITHOUT CONSIDER-
23 ATION.—The conveyance authorized by subsection (a) may
24 be made without consideration if the Secretary determines
25 that the conveyance on that basis would be in the best
26 interests of the United States.

1 (c) CONDITION OF CONVEYANCE.—The conveyance
2 authorized by subsection (a) shall be subject to the condi-
3 tion that the City—

4 (1) use the parcels, directly or through an
5 agreement with a public or private entity, for eco-
6 nomic purposes or such other public purposes as the
7 City determines appropriate; or

8 (2) convey the parcels to an appropriate public
9 entity for use for such purposes.

10 (d) REVERSION.—If, during the 5-year period begin-
11 ning on the date the Secretary makes the conveyance au-
12 thorized by subsection (a), the Secretary determines that
13 the conveyed real property is not being used for a purpose
14 specified in subsection (c), all right, title, and interest in
15 and to the property, including any improvements thereon,
16 shall revert to the United States, and the United States
17 shall have the right of immediate entry onto the property.

18 (e) LIMITATION ON CERTAIN SUBSEQUENT CONVEY-
19 ANCES.—(1) Subject to paragraph (2), if at any time after
20 the Secretary makes the conveyance authorized by sub-
21 section (a) the City conveys any portion of the parcels con-
22 veyed under that subsection to a private entity, the City
23 shall pay to the United States an amount equal to the
24 fair market value (as determined by the Secretary) of the

1 portion conveyed at the time of its conveyance under this
2 subsection.

3 (2) Paragraph (1) applies to a conveyance described
4 in that paragraph only if the Secretary makes the convey-
5 ance authorized by subsection (a) without consideration.

6 (3) The Secretary shall deposit in the General Fund
7 of the Treasury as miscellaneous receipts any amounts
8 paid the Secretary under this subsection.

9 (f) INTERIM LEASE.—(1) Until such time as the real
10 property described in subsection (a) is conveyed by deed
11 under this section, the Secretary may continue to lease
12 the property, together with improvements thereon, to the
13 current tenant under the existing terms and conditions of
14 the lease for the property.

15 (2) If good faith negotiations for the conveyance of
16 the property continue under this section beyond the end
17 of the third year of the term of the existing lease for the
18 property, the Secretary shall continue to lease the property
19 to the current tenant of the property under the terms and
20 conditions applicable to the first three years of the lease
21 of the property pursuant to the existing lease for the prop-
22 erty.

23 (g) MAINTENANCE OF PROPERTY.—(1) Subject to
24 paragraph (2), the Secretary shall be responsible for main-
25 taining the real property to be conveyed under this section

1 in its condition as of the date of the enactment of this
 2 Act until such time as the property is conveyed by deed
 3 under this section.

4 (2) The current tenant of the property shall be re-
 5 sponsible for any maintenance required under paragraph
 6 (1) to the extent of the activities of that tenant at the
 7 property during the period covered by that paragraph.

8 (h) DESCRIPTION OF PROPERTY.—The exact acreage
 9 and legal description of the real property to be conveyed
 10 under subsection (a) shall be determined by a survey satis-
 11 factory to the Secretary. The cost of the survey shall be
 12 borne by the City.

13 (i) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
 14 retary may require such additional terms and conditions
 15 in connection with the conveyance under subsection (a) as
 16 the Secretary considers appropriate to protect the inter-
 17 ests of the United States.

18 **PART III—AIR FORCE CONVEYANCES**

19 **SEC. 2851. LAND CONVEYANCE, MCCLELLAN NUCLEAR RA-** 20 **DIATION CENTER, CALIFORNIA.**

21 (a) CONVEYANCE AUTHORIZED.—Notwithstanding
 22 any other provision of law, the Secretary of the Air Force
 23 may convey, without consideration, to the Regents of the
 24 University of California, acting on behalf of the University
 25 of California, Davis (in this section referred to as the “Re-

1 gents’), all right, title, and interest of the United States
2 in and to the parcel of real property, including improve-
3 ments thereon, consisting of the McClellan Nuclear Radi-
4 ation Center, California.

5 (b) INSPECTION OF PROPERTY.—The Secretary
6 shall, at an appropriate time before the conveyance au-
7 thorized by subsection (a), permit the Regents access to
8 the property to be conveyed for purposes of such investiga-
9 tion of the McClellan Nuclear Radiation Center and the
10 atomic reactor located at the Center as the Regents con-
11 sider appropriate.

12 (c) HOLD HARMLESS.—(1)(A) The Secretary may
13 not make the conveyance authorized by subsection (a) un-
14 less the Regents agree to indemnify and hold harmless the
15 United States for and against the following:

16 (i) Any and all costs associated with the decon-
17 tamination and decommissioning of the atomic reac-
18 tor at the McClellan Nuclear Radiation Center
19 under requirements that are imposed by the Nuclear
20 Regulatory Commission or any other appropriate
21 Federal or State regulatory agency.

22 (ii) Any and all injury, damage, or other liabil-
23 ity arising from the operation of the atomic reactor
24 after its conveyance under this section.

1 (B) As consideration for the agreement under sub-
2 paragraph (A), the Secretary may pay the Regents an
3 amount determined appropriate by the Secretary. The
4 amount may not exceed \$17,593,000.

5 (2) Notwithstanding the agreement under paragraph
6 (1), the Secretary may, as part of the conveyance author-
7 ized by subsection (a), enter into an agreement with the
8 Regents under which agreement the United States shall
9 indemnify and hold harmless the University of California
10 for and against any injury, damage, or other liability in
11 connection with the operation of the atomic reactor at the
12 McClellan Nuclear Radiation Center after its conveyance
13 under this section that arises from a defect in the atomic
14 reactor that could not have been discovered in the course
15 of the inspection carried out under subsection (b).

16 (d) CONTINUING OPERATION OF REACTOR.—Until
17 such time as the property authorized to be conveyed by
18 subsection (a) is conveyed by deed, the Secretary shall
19 take appropriate actions, including the allocation of per-
20 sonnel, funds, and other resources, to ensure the con-
21 tinuing operation of the atomic reactor located at the
22 McClellan Nuclear Radiation Center in accordance with
23 applicable requirements of the Nuclear Regulatory Com-
24 mission and otherwise in accordance with law.

1 (e) DESCRIPTION OF PROPERTY.—The exact acreage
2 and legal description of the real property to be conveyed
3 under subsection (a) shall be determined by a survey satis-
4 factory to the Secretary. The cost of the survey shall be
5 borne by the Secretary.

6 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
7 retary may require such additional terms and conditions
8 in connection with the conveyance under subsection (a) as
9 the Secretary considers appropriate to protect the inter-
10 ests of the United States.

11 **SEC. 2852. LAND CONVEYANCE, NEWINGTON DEFENSE**
12 **FUEL SUPPLY POINT, NEW HAMPSHIRE.**

13 (a) CONVEYANCE AUTHORIZED.—The Secretary of
14 the Air Force may convey, without consideration, to the
15 Pease Development Authority, New Hampshire (in this
16 section referred to as the “Authority”), all right, title, and
17 interest of the United States in and to parcels of real
18 property, together with any improvements thereon, con-
19 sisting of approximately 10.26 acres and located in
20 Newington, New Hampshire, the site of the Newington
21 Defense Fuel Supply Point. The parcels have been deter-
22 mined to be excess to the needs of the Air Force.

23 (b) RELATED PIPELINE AND EASEMENT.—As part
24 of the conveyance authorized by subsection (a), the Sec-
25 retary may convey to the Authority without consideration

1 all right, title, and interest of the United States in and
2 to the following:

3 (1) The pipeline approximately 1.25 miles in
4 length that runs between the property authorized to
5 be conveyed under subsection (a) and former Pease
6 Air Force Base, New Hampshire, and any facilities
7 and equipment related thereto.

8 (2) An easement consisting of approximately
9 4.612 acres for purposes of activities relating to the
10 pipeline.

11 (c) ALTERNATIVE CONVEYANCE AUTHORITY.—If at
12 the time of the conveyance authorized by this section the
13 Secretary has transferred jurisdiction over any of the
14 property to be conveyed to the Administrator of General
15 Services, the Administrator shall make the conveyance of
16 such property under this section.

17 (d) FEDERAL SCREENING.—(1) If any of the prop-
18 erty authorized to be conveyed by this section is under
19 the jurisdiction of the Administrator as of the date of the
20 enactment of this Act, the Administrator shall conduct
21 with respect to such property the screening for further
22 Federal use otherwise required by subsection (a) of section
23 2696 of title 10, United States Code.

24 (2) Subsections (b) through (d) of such section 2696
25 shall apply to the screening under paragraph (1) as if the

1 screening were a screening conducted under subsection (a)
2 of such section 2696. For purposes of such subsection (b),
3 the date of the enactment of the provision of law author-
4 izing the conveyance of the property authorized to be con-
5 veyed by this section shall be the date of the enactment
6 of this Act.

7 (e) DESCRIPTION OF PROPERTY.—The exact acreage
8 and legal description of the real property to be conveyed
9 under subsection (a), the easement to be conveyed under
10 subsection (b)(2), and the pipeline to be conveyed under
11 subsection (b)(1) shall be determined by surveys and other
12 means satisfactory to the official having jurisdiction over
13 the property or pipeline, as the case may be, at the time
14 of the conveyance. The cost of any survey or other services
15 performed at the direction of that official under the pre-
16 ceding sentence shall be borne by the Authority.

17 (f) ADDITIONAL TERMS AND CONDITIONS.—The offi-
18 cial having jurisdiction over the property to be conveyed
19 under subsection (a), or the pipeline and easement to be
20 conveyed under subsection (b), at the time of the convey-
21 ance may require such additional terms and conditions in
22 connection with the conveyance as that official considers
23 appropriate to protect the interests of the United States.

1 **Subtitle E—Other Matters**

2 **SEC. 2861. ACQUISITION OF STATE-HELD INHOLDINGS,**
3 **EAST RANGE OF FORT HUACHUCA, ARIZONA.**

4 (a) ACQUISITION AUTHORIZED.—(1) The Secretary
5 of the Interior may acquire by eminent domain, but with
6 the consent of the State of Arizona, all right, title, and
7 interest (including any mineral rights) of the State of Ari-
8 zona in and to unimproved Arizona State Trust lands con-
9 sisting of approximately 1,536.47 acres in the Fort
10 Huachuca East Range, Cochise County, Arizona.

11 (2) The Secretary may also acquire by eminent do-
12 main, but with the consent of the State of Arizona, any
13 trust mineral estate of the State of Arizona located be-
14 neath the surface estates of the United States in one or
15 more parcels of land consisting of approximately 12,943
16 acres in the Fort Huachuca East Range, Cochise County,
17 Arizona.

18 (b) CONSIDERATION.—(1) Subject to subsection (c),
19 as consideration for the acquisition by the United States
20 of Arizona State trust lands and mineral interests under
21 subsection (a), the Secretary, acting through the Bureau
22 of Land Management, may convey to the State of Arizona
23 all right, title, and interest of the United States, or some
24 lesser interest, in one or more parcels of Federal land

1 under the jurisdiction of the Bureau of Land Management
2 in the State of Arizona.

3 (2) The lands or interests in land to be conveyed
4 under this subsection shall be mutually agreed upon by
5 the Secretary and the State of Arizona, as provided in sub-
6 section (c)(1).

7 (3) The value of the lands conveyed out of Federal
8 ownership under this subsection either shall be equal to
9 the value of the lands and mineral interests received by
10 the United States under subsection (a) or, if not, shall
11 be equalized by a payment made by the Secretary or the
12 State of Arizona, as necessary.

13 (c) CONDITIONS ON CONVEYANCE TO STATE.—The
14 Secretary may make the conveyance described in sub-
15 section (b) only if—

16 (1) the transfer of the Federal lands to the
17 State of Arizona is acceptable to the State Land
18 Commissioner; and

19 (2) the conveyance of lands and interests in
20 lands under subsection (b) is accepted by the State
21 of Arizona as full consideration for the land and
22 mineral rights acquired by the United States under
23 subsection (a) and terminates all right, title, and in-
24 terest of all parties (other than the United States)
25 in and to the acquired lands and mineral rights.

1 (d) USE OF EMINENT DOMAIN.—The Secretary may
2 acquire the State lands and mineral rights under sub-
3 section (a) pursuant to the laws and regulations governing
4 eminent domain.

5 (e) DETERMINATION OF FAIR MARKET VALUE.—
6 Notwithstanding any other provision of law, the value of
7 lands and interests in lands acquired or conveyed by the
8 United States under this section shall be determined in
9 accordance with the Uniform Appraisal Standards for
10 Federal Land Acquisition, as published by the Depart-
11 ment of Justice in 1992. The appraisal shall be subject
12 to the review and acceptance by the Land Department of
13 the State of Arizona and the Bureau of Land Manage-
14 ment.

15 (f) DESCRIPTIONS OF LAND.—The exact acreage and
16 legal descriptions of the lands and interests in lands ac-
17 quired or conveyed by the United States under this section
18 shall be determined by surveys that are satisfactory to the
19 Secretary of the Interior and the State of Arizona.

20 (g) WITHDRAWAL OF ACQUIRED LANDS FOR MILI-
21 TARY PURPOSES.—After acquisition, the lands acquired
22 by the United States under subsection (a) may be with-
23 drawn and reserved, in accordance with all applicable envi-
24 ronmental laws, for use by the Secretary of the Army for
25 military training and testing in the same manner as other

1 Federal lands located in the Fort Huachuca East Range
2 that were withdrawn and reserved for Army use through
3 Public Land Order 1471 of 1957.

4 (h) **ADDITIONAL TERMS AND CONDITIONS.**—The
5 Secretary of the Interior may require such additional
6 terms and conditions in connection with the conveyance
7 and acquisition of lands and interests in land under this
8 section as the Secretary considers to be appropriate to
9 protect the interests of the United States and any valid
10 existing rights.

11 (i) **COST REIMBURSEMENT.**—All costs associated
12 with the processing of the acquisition of State trust lands
13 and mineral interests under subsection (a) and the convey-
14 ance of public lands under subsection (b) shall be borne
15 by the Secretary of the Army.

16 **SEC. 2862. DEVELOPMENT OF FORD ISLAND, HAWAII.**

17 (a) **IN GENERAL.**—(1) Subject to paragraph (2), the
18 Secretary of the Navy may exercise any authority or com-
19 bination of authorities in this section for the purpose of
20 developing or facilitating the development of Ford Island,
21 Hawaii, to the extent that the Secretary determines the
22 development is compatible with the mission of the Navy.

23 (2) The Secretary may not exercise any authority
24 under this section until—

1 (A) the Secretary submits to the appropriate
2 committees of Congress a master plan for the devel-
3 opment of Ford Island; and

4 (B) a period of 30 calendar days has elapsed
5 following the date on which the notification is re-
6 ceived by those committees.

7 (b) CONVEYANCE AUTHORITY.—(1) The Secretary of
8 the Navy may convey to any public or private person or
9 entity all right, title, and interest of the United States in
10 and to any real property (including any improvements
11 thereon) or personal property under the jurisdiction of the
12 Secretary in the State of Hawaii that the Secretary
13 determines—

14 (A) is excess to the needs of the Navy and all
15 of the other Armed Forces; and

16 (B) will promote the purpose of this section.

17 (2) A conveyance under this subsection may include
18 such terms and conditions as the Secretary considers ap-
19 propriate to protect the interests of the United States.

20 (c) LEASE AUTHORITY.—(1) The Secretary of the
21 Navy may lease to any public or private person or entity
22 any real property or personal property under the jurisdic-
23 tion of the Secretary in the State of Hawaii that the Sec-
24 retary determines—

1 (A) is not needed for current operations of the
2 Navy and all of the other Armed Forces; and

3 (B) will promote the purpose of this section.

4 (2) A lease under this subsection shall be subject to
5 section 2667(b)(1) of title 10, United States Code, and
6 may include such others terms as the Secretary considers
7 appropriate to protect the interests of the United States.

8 (3) A lease of real property under this subsection may
9 provide that, upon termination of the lease term, the lessee
10 shall have the right of first refusal to acquire the real
11 property covered by the lease if the property is then con-
12 veyed under subsection (b).

13 (4)(A) The Secretary may provide property support
14 services to or for real property leased under this sub-
15 section.

16 (B) To the extent provided in appropriations Acts,
17 any payment made to the Secretary for services provided
18 under this paragraph shall be credited to the appropria-
19 tion, account, or fund from which the cost of providing
20 the services was paid.

21 (d) ACQUISITION OF LEASEHOLD INTEREST BY SEC-
22 RETARY.—(1) The Secretary of the Navy may acquire a
23 leasehold interest in any facility constructed under sub-
24 section (f) as consideration for a transaction authorized

1 by this section upon such terms as the Secretary considers
2 appropriate to promote the purpose of this section.

3 (2) The term of a lease under paragraph (1) may not
4 exceed 10 years, unless the Secretary of Defense approves
5 a term in excess of 10 years for the purpose of this section.

6 (3) A lease under this subsection may provide that,
7 upon termination of the lease term, the United States
8 shall have the right of first refusal to acquire the facility
9 covered by the lease.

10 (e) REQUIREMENT FOR COMPETITION.—The Sec-
11 retary of the Navy shall use competitive procedures for
12 purposes of selecting the recipient of real or personal prop-
13 erty under subsection (b) and the lessee of real or personal
14 property under subsection (c).

15 (f) CONSIDERATION.—(1) As consideration for the
16 conveyance of real or personal property under subsection
17 (b), or for the lease of real or personal property under
18 subsection (c), the Secretary of the Navy shall accept cash,
19 real property, personal property, or services, or any com-
20 bination thereof, in an aggregate amount equal to not less
21 than the fair market value of the real or personal property
22 conveyed or leased.

23 (2) Subject to subsection (i), the services accepted by
24 the Secretary under paragraph (1) may include the fol-
25 lowing:

1 (A) The construction or improvement of facili-
2 ties at Ford Island.

3 (B) The restoration or rehabilitation of real
4 property at Ford Island.

5 (C) The provision of property support services
6 for property or facilities at Ford Island.

7 (g) NOTICE AND WAIT REQUIREMENTS.—The Sec-
8 retary of the Navy may not carry out a transaction au-
9 thorized by this section until—

10 (1) the Secretary submits to the appropriate
11 committees of Congress a notification of the trans-
12 action, including—

13 (A) a detailed description of the trans-
14 action; and

15 (B) a justification for the transaction
16 specifying the manner in which the transaction
17 will meet the purpose of this section; and

18 (2) a period of 30 calendar days has elapsed
19 following the date on which the notification is re-
20 ceived by those committees.

21 (h) FORD ISLAND IMPROVEMENT ACCOUNT.—(1)
22 There is established on the books of the Treasury an ac-
23 count to be known as the “Ford Island Improvement Ac-
24 count”.

1 (2) There shall be deposited into the account the fol-
2 lowing amounts:

3 (A) Amounts authorized and appropriated to
4 the account.

5 (B) Except as provided in subsection (c)(4)(B),
6 the amount of any cash payment received by the
7 Secretary for a transaction under this section.

8 (i) USE OF ACCOUNT.—(1) Subject to paragraph (2),
9 to the extent provided in advance in appropriation Acts,
10 funds in the Ford Island Improvement Account may be
11 used as follows:

12 (A) To carry out or facilitate the carrying out
13 of a transaction authorized by this section.

14 (B) To carry out improvements of property or
15 facilities at Ford Island.

16 (C) To obtain property support services for
17 property or facilities at Ford Island.

18 (2) To extent that the authorities provided under sub-
19 chapter IV of chapter 169 of title 10, United States Code,
20 are available to the Secretary of the Navy, the Secretary
21 may not use the authorities in this section to acquire, con-
22 struct, or improve family housing units, military unaccom-
23 panied housing units, or ancillary supporting facilities re-
24 lated to military housing at Ford Island.

1 (3)(A) The Secretary may transfer funds from the
2 Ford Island Improvement Account to the following funds:

3 (i) The Department of Defense Family Housing
4 Improvement Fund established by section
5 2883(a)(1) of title 10, United States Code.

6 (ii) The Department of Defense Military Unac-
7 companied Housing Improvement Fund established
8 by section 2883(a)(2) of that title.

9 (B) Amounts transferred under subparagraph (A) to
10 a fund referred to in that subparagraph shall be available
11 in accordance with the provisions of section 2883 of title
12 10, United States Code, for activities authorized under
13 subchapter IV of chapter 169 of that title at Ford Island.

14 (j) INAPPLICABILITY OF CERTAIN PROPERTY MAN-
15 AGEMENT LAWS.—Except as otherwise provided in this
16 section, transactions under this section shall not be subject
17 to the following:

18 (1) Sections 2667 and 2696 of title 10, United
19 States Code.

20 (2) Section 501 of the Stewart B. McKinney
21 Homeless Assistance Act (42 U.S.C. 11411).

22 (3) Sections 202 and 203 of the Federal Prop-
23 erty and Administrative Services Act of 1949 (40
24 U.S.C. 483, 484).

1 (k) SCORING.—Nothing in this section shall be con-
2 strued to waive the applicability to any lease entered into
3 under this section of the budget scorekeeping guidelines
4 used to measure compliance with the Balanced Budget
5 Emergency Deficit Control Act of 1985.

6 (l) CONFORMING AMENDMENTS.—Section 2883(c) of
7 title 10, United States Code, is amended—

8 (1) in paragraph (1), by adding at the end the
9 following new subparagraph:

10 “(E) Any amounts that the Secretary of the
11 Navy transfers to that Fund pursuant to section
12 2862(i)(3)(A)(i) of the Military Construction Au-
13 thorization Act for Fiscal Year 2000, subject to the
14 restrictions on the use of the transferred amounts
15 specified in that section.”; and

16 (2) in paragraph (2), by adding at the end the
17 following new subparagraph:

18 “(E) Any amounts that the Secretary of the
19 Navy transfers to that Fund pursuant to section
20 2862(i)(3)(A)(ii) of the Military Construction Au-
21 thorization Act for Fiscal Year 2000, subject to the
22 restrictions on the use of the transferred amounts
23 specified in that section.”.

24 (m) DEFINITIONS.—In this section:

1 (1) The term “appropriate committees of Con-
2 gress” has the meaning given that term in section
3 2801(4) of title 10, United States Code.

4 (2) The term “property support service” means
5 the following:

6 (A) Any utility service or other service list-
7 ed in section 2686(a) of title 10, United States
8 Code.

9 (B) Any other service determined by the
10 Secretary to be a service that supports the op-
11 eration and maintenance of real property, per-
12 sonal property, or facilities.

13 **TITLE XXIX—RENEWAL OF** 14 **MILITARY LAND WITHDRAWALS**

15 **SEC. 2901. SHORT TITLE.**

16 This title may be cited as the Military Lands With-
17 drawal Renewal Act of 1999”.

18 **SEC. 2902. WITHDRAWALS.**

19 (a) BARRY M. GOLDWATER RANGE.—(1) Subject to
20 valid existing rights and except as otherwise provided in
21 this title, the lands described in paragraph (3) are hereby
22 withdrawn from all forms of appropriation under the pub-
23 lic land laws (including the mining laws and the mineral
24 leasing and the geothermal leasing laws).

1 (2) Such lands are reserved for use by the Secretary
2 of the Air Force and the Secretary of the Navy for—

3 (A) testing and training for aerial bombing,
4 missile firing, and tactical maneuvering and air sup-
5 port;

6 (B) joint air and ground operations training,
7 including ground maneuvers; and

8 (C) subject to the requirements of section
9 2904(f), other defense-related purposes consistent
10 with the purposes specified in this paragraph.

11 (3) The lands referred to in paragraph (1) are the
12 lands comprising approximately 2,664,423 acres in Mari-
13 copa, Pima, and Yuma Counties, Arizona, as generally de-
14 picted on the map entitled “Luke Air Force Range With-
15 drawal—Proposed”, dated January 1985, and withdrawn
16 by the provisions of section 1(c) of the Military Lands
17 Withdrawal Act of 1986 (Public Law 99–606). Such lands
18 do not include any portion of the lands so withdrawn that
19 were relinquished to the Secretary of the Interior under
20 the provisions of that Act.

21 (4)(A) The Secretary of the Air Force and the Sec-
22 retary of the Navy shall enter into a memorandum of un-
23 derstanding specifying the geographic areas of the lands
24 withdrawn by this subsection that will be managed by the

1 Secretary of the Air Force and the Secretary of the Navy,
2 respectively.

3 (B) For purposes of this title, the Secretary of the
4 Air Force shall be treated as the Secretary of the military
5 department concerned for the lands specified in the memo-
6 randum of understanding as managed by the Secretary
7 of the Air Force.

8 (C) For purposes of this title, the Secretary of the
9 Navy shall be treated as the Secretary of the military de-
10 partment concerned for the lands specified in the memo-
11 randum of understanding as managed by the Secretary
12 of the Navy.

13 (5) The Barry M. Goldwater Air Force Range is here-
14 by redesignated as the “Barry M. Goldwater Range”. Any
15 reference to the Barry M. Goldwater Air Force Range in
16 any law, regulation, document, record, map, or other
17 paper of the United States shall be deemed to be a ref-
18 erence to the Barry M. Goldwater Range.

19 (6) The withdrawal and reservation established by
20 this subsection shall be a multi-year withdrawal consistent
21 with the environmental impact statements prepared by the
22 military departments and the Department of the Interior.

23 (b) MCGREGOR RANGE.—(1) Subject to valid exist-
24 ing rights and except as otherwise provided in this title,
25 the public lands described in paragraph (3) are hereby

1 withdrawn from all forms of appropriation under the pub-
2 lic land laws (including the mining laws and the mineral
3 leasing and the geothermal leasing laws).

4 (2) Such lands are reserved for use by the Secretary
5 of the Army—

6 (A) for training and weapons testing; and

7 (B) subject to the requirements of section
8 2904(f), for other defense-related purposes con-
9 sistent with the purposes specified in this paragraph.

10 (3) The lands referred to in paragraph (1) are the
11 lands comprising approximately 608,384.87 acres in Otero
12 County, New Mexico, as generally depicted on the map
13 entitled “McGregor Range Withdrawal—Proposed”, dated
14 January 1985, and withdrawn by the provisions of section
15 1(d) of the Military Lands Withdrawal Act of 1986. Such
16 lands do not include any portion of the lands so withdrawn
17 that were relinquished to the Secretary of the Interior
18 under the provisions of that Act.

19 (4) Any of the public lands withdrawn under para-
20 graph (1) which, as of the date of the enactment of this
21 Act, are managed pursuant to section 603 of the Federal
22 Land Policy and Management Act of 1976 (43 U.S.C.
23 1782) shall continue to be managed under that section
24 until otherwise expressly provided by law.

1 (5) The withdrawal and reservation established by
2 this subsection shall be a multi-year withdrawal consistent
3 with the environmental impact statements prepared by the
4 military departments and the Department of the Interior.

5 (c) FORT GREELY MANEUVER AREA AND FORT
6 GREELY AIR DROP ZONE.—(1) Subject to valid existing
7 rights and except as otherwise provided in this title, the
8 lands described in paragraph (3) are hereby withdrawn
9 from all forms of appropriation under the public land laws
10 (including the mining laws and the mineral leasing and
11 the geothermal leasing laws), under the Act entitled “An
12 Act to provide for the admission of the State of Alaska
13 into the Union”, approved July 7, 1958 (48 U.S.C. note
14 prec. 21), and under the Alaska Native Claims Settlement
15 Act (43 U.S.C. 1601 et seq.).

16 (2) Such lands are reserved for use by the Secretary
17 of the Army for—

18 (A) military maneuvering, training, and equip-
19 ment development and testing; and

20 (B) subject to the requirements of section
21 2904(f), other defense-related purposes consistent
22 with the purposes specified in this paragraph.

23 (3)(A) The lands referred to in paragraph (1) are—

24 (i) the lands comprising approximately 571,995
25 acres in the Big Delta Area, Alaska, as generally de-

1 depicted on the map entitled “Fort Greely Maneuver
2 Area Withdrawal—Proposed”, dated January 1985,
3 and withdrawn by the provisions of section 1(e) of
4 the Military Lands Withdrawal Act of 1986; and

5 (ii) the lands comprising approximately 51,590
6 acres in the Granite Creek Area, Alaska, as gen-
7 erally depicted on the map entitled “Fort Greely, Air
8 Drop Zone Withdrawal—Proposed”, dated January
9 1985, and withdrawn by the provisions of such sec-
10 tion.

11 (B) Such lands do not include any portion of the
12 lands so withdrawn that were relinquished to the Sec-
13 retary of the Interior under the provisions of that Act.

14 (d) FORT WAINWRIGHT MANEUVER AREA.—(1) Sub-
15 ject to valid existing rights and except as otherwise pro-
16 vided in this title, the public lands described in paragraph
17 (3) are hereby withdrawn from all forms of appropriation
18 under the public land laws (including the mining laws and
19 the mineral leasing and the geothermal leasing laws),
20 under the Act entitled “An Act to provide for the admis-
21 sion of the State of Alaska into the Union”, approved July
22 7, 1958 (48 U.S.C. note prec. 21), and under the Alaska
23 Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

24 (2) Such lands are reserved for use by the Secretary
25 of the Army for—

1 (A) military maneuvering;

2 (B) training for artillery firing, aerial gunnery,
3 and infantry tactics; and

4 (C) subject to the requirements of section
5 2904(f), other defense-related purposes consistent
6 with the purposes specified in this paragraph.

7 (3) The lands referred to in paragraph (1) are the
8 lands comprising approximately 247,951.67 acres of land
9 in the Fourth Judicial District, Alaska, as generally de-
10 picted on the map entitled “Fort Wainwright Maneuver
11 Area Withdrawal—Proposed”, dated January 1985, and
12 withdrawn by the provisions of section 1(f) of the Military
13 Lands Withdrawal Act of 1986. Such lands do not include
14 any portion of the lands so withdrawn that were relin-
15 quished to the Secretary of the Interior under the provi-
16 sions of that Act.

17 **SEC. 2903. MAPS AND LEGAL DESCRIPTIONS.**

18 (a) PUBLICATION AND FILING REQUIREMENT.—As
19 soon as practicable after the date of the enactment of this
20 Act, the Secretary of the Interior shall—

21 (1) publish in the Federal Register a notice
22 containing the legal description of the lands with-
23 drawn by this title; and

24 (2) file maps and the legal description of the
25 lands withdrawn by this title with the Committee on

1 Energy and Natural Resources of the Senate and
2 the Committee on Resources of the House of Rep-
3 resentatives.

4 (b) TECHNICAL CORRECTIONS.—Such maps and
5 legal descriptions shall have the same force and effect as
6 if they were included in this title except that the Secretary
7 of the Interior may correct clerical and typographical er-
8 rors in such maps and legal descriptions.

9 (c) AVAILABILITY FOR PUBLIC INSPECTION.—Copies
10 of such maps and legal descriptions shall be available for
11 public inspection in the following offices:

12 (1) The Office of the Secretary of Defense.

13 (2) The offices of the Director and appropriate
14 State Directors of the Bureau of Land Management.

15 (3) The offices of the Director and appropriate
16 Regional Directors of the United States Fish and
17 Wildlife Service.

18 (4) The office of the commander, Luke Air
19 Force Base.

20 (5) The office of the commander, McGregor
21 Range.

22 (6) The office of the installation commander,
23 Fort Richardson, Alaska.

24 (7) The office of the commander, Marine Corps
25 Air Station, Yuma, Arizona.

1 (d) REIMBURSEMENT.—The Secretary of Defense
2 shall reimburse the Secretary of the Interior for any costs
3 incurred by the Secretary of the Interior in carrying out
4 this section.

5 **SEC. 2904. MANAGEMENT OF WITHDRAWN LANDS.**

6 (a) MANAGEMENT BY SECRETARY OF THE INTE-
7 RIOR.—(1)(A) The Secretary of the Interior shall manage
8 the lands withdrawn by this title (except those lands with-
9 in a unit of the National Wildlife Refuge System) pursu-
10 ant to the Federal Land Policy and Management Act of
11 1976 (43 U.S.C. 1701 et seq.) and other applicable law,
12 including the Recreation Use of Wildlife Areas Act of
13 1962 (16 U.S.C. 460k et seq.) and this title. The Sec-
14 retary shall manage such lands through the Bureau of
15 Land Management.

16 (B)(i) Lands within the Cabeza Prieta National Wild-
17 life Refuge shall be managed pursuant to the National
18 Wildlife Refuge System Administration Act of 1966 (16
19 U.S.C. 668dd et seq.) and other applicable laws, including
20 this title.

21 (ii) No provision of this title, except this section and
22 sections 2902, 2905, 2912, and 2913, shall apply to the
23 management of the Cabeza Prieta National Wildlife Ref-
24 uge.

1 (2) To the extent consistent with applicable law and
2 Executive orders, the lands withdrawn by this title may
3 be managed in a manner permitting—

4 (A) the continuation of grazing pursuant to ap-
5 plicable law and Executive orders where permitted
6 on the date of the enactment of this Act;

7 (B) protection of wildlife and wildlife habitat;

8 (C) control of predatory and other animals;

9 (D) recreation; and

10 (E) the prevention and appropriate suppression
11 of brush and range fires resulting from nonmilitary
12 activities.

13 (3)(A) All nonmilitary use of the lands withdrawn by
14 this title, other than the uses described in paragraph (2),
15 shall be subject to such conditions and restrictions as may
16 be necessary to permit the military use of such lands for
17 the purposes specified in or authorized pursuant to this
18 title.

19 (B) The Secretary of the Interior may issue any
20 lease, easement, right-of-way, or other authorization with
21 respect to the nonmilitary use of such lands only with the
22 concurrence of the Secretary of the military department
23 concerned.

24 (b) CLOSURE TO PUBLIC.—(1) If the Secretary of the
25 military department concerned determines that military

1 operations, public safety, or national security require the
2 closure to public use of any road, trail, or other portion
3 of the lands withdrawn by this title, that Secretary may
4 take such action as that Secretary determines necessary
5 to effect and maintain such closure.

6 (2) Any such closure shall be limited to the minimum
7 areas and periods which the Secretary of the military de-
8 partment concerned determines are required to carry out
9 this subsection.

10 (3) During any closure under this subsection, the
11 Secretary of the military department concerned shall—

12 (A) keep appropriate warning notices posted;

13 and

14 (B) take appropriate steps to notify the public
15 concerning such closures.

16 (c) MANAGEMENT PLAN.—(1)(A) The Secretary of
17 the Interior (after consultation with the Secretary of the
18 military department concerned) shall develop a plan for
19 the management of each area withdrawn by this title.

20 (2) Each plan shall—

21 (A) be consistent with applicable law;

22 (B) be subject to conditions and restrictions
23 specified in subsection (a)(3); and

1 (C) include such provisions as may be necessary
2 for proper management and protection of the re-
3 sources and values of such areas.

4 (3) The Secretary of the Interior shall develop each
5 plan required by this subsection not later than three years
6 after the date of the enactment of this Act. In developing
7 a plan for an area, the Secretary may utilize or modify
8 appropriate provisions of the management plan developed
9 for the area under section 3(c) of the Military Lands
10 Withdrawal Act of 1986.

11 (d) BRUSH AND RANGE FIRES.—(1) The Secretary
12 of the military department concerned shall take necessary
13 precautions to prevent and suppress brush and range fires
14 occurring within and outside the lands withdrawn by this
15 title as a result of military activities and may seek assist-
16 ance from the Bureau of Land Management in the sup-
17 pression of such fires.

18 (2) Each memorandum of understanding required by
19 subsection (e) shall provide for Bureau of Land Manage-
20 ment assistance in the suppression of fires referred to in
21 paragraph (1) in the area covered by the memorandum
22 of understanding, and for a transfer of funds from the
23 military department concerned to the Bureau of Land
24 Management as compensation for such assistance.

1 (e) MEMORANDUM OF UNDERSTANDING.—(1) The
2 Secretary of the Interior and the Secretary of the military
3 department concerned shall (with respect to each area
4 withdrawn by section 2902) enter into a memorandum of
5 understanding to implement the management plan devel-
6 oped under subsection (c).

7 (2) Each memorandum of understanding shall pro-
8 vide that the Director of the Bureau of Land Management
9 shall provide assistance in the suppression of fires result-
10 ing from the military use of lands withdrawn by this title
11 if requested by the Secretary of the military department
12 concerned.

13 (f) ADDITIONAL MILITARY USES.—(1) The lands
14 withdrawn by this title may be used for defense-related
15 uses other than those specified in the applicable provision
16 of section 2902. The use of such lands for such purposes
17 shall be governed by all laws applicable to such lands, in-
18 cluding this title.

19 (2)(A) The Secretary of Defense shall promptly no-
20 tify the Secretary of the Interior in the event that the
21 lands withdrawn by this title will be used for defense-re-
22 lated purposes other than those specified in section 2902.

23 (B) Such notification shall indicate the additional use
24 or uses involved, the proposed duration of such uses, and
25 the extent to which such additional military uses of the

1 lands will require that additional or more stringent condi-
2 tions or restrictions be imposed on otherwise-permitted
3 nonmilitary uses of the land or portions thereof.

4 (3) Subject to valid existing rights, the Secretary of
5 the military department concerned may utilize sand, grav-
6 el, or similar mineral or material resources on the lands
7 withdrawn by this title when the use of such resources
8 is required to meet the construction needs of the military
9 department concerned on the lands withdrawn by this
10 title.

11 (g) ADDITIONAL MANAGEMENT REQUIREMENTS.—

12 (1) Except as otherwise provided in this title, the lands
13 withdrawn by this title shall be managed in a manner
14 that—

15 (A) complies with current resource management
16 standards; and

17 (B) maintains a level of effort similar to that
18 in effect on the date of the enactment of this Act.

19 (2) Not later than six months after the date of the
20 enactment of this Act, the Secretary of the Interior shall
21 submit to Congress and to the Secretary of Defense a re-
22 port on the management of lands withdrawn by this title.
23 The report shall include any recommendations for addi-
24 tional actions to preserve and protect the natural re-
25 sources of such lands, and any additional recommenda-

1 tions, that the Secretary of the Interior considers appro-
2 priate.

3 **SEC. 2905. SPECIAL WILDLIFE RULES ON BARRY M. GOLD-**
4 **WATER RANGE.**

5 (a) **APPLICABILITY OF LAW.**—Neither the with-
6 drawal by section 2902(a) nor any other provision of this
7 title shall be construed to amend any law, Executive order,
8 or public land order in effect on the date of the enactment
9 of this Act with respect to the Cabeza Prieta National
10 Wildlife Refuge.

11 (b) **APPLICABILITY OF MEMORANDA OF UNDER-**
12 **STANDING.**—Neither the withdrawal by section 2902(a)
13 nor any other provision of this title shall be construed to
14 amend any memorandum of understanding between the
15 Secretary of the Interior and the Secretary of the Air
16 Force regarding the administration and joint use of a por-
17 tion of the Cabeza Prieta National Wildlife Refuge.

18 (c) **MODIFICATION OF MEMORANDA OF UNDER-**
19 **STANDING.**—No modification of a provision of the memo-
20 randum of understanding between the Secretary of the In-
21 terior and the Secretary of the Air Force regarding Air
22 Force operations on the Cabeza Prieta National Wildlife
23 Refuge in effect on November 21, 1994, shall take effect
24 until 90 days after the date on which the Secretary of
25 the Interior submits to the Committees on Armed Serv-

1 ices, Energy and Natural Resources, and Environment
2 and Public Works of the Senate and the Committees on
3 Armed Services and Resources of the House of Represent-
4 atives a report on the proposed modification.

5 **SEC. 2906. ESTABLISHMENT OF NATIONAL PARK IN BARRY**
6 **M. GOLDWATER RANGE.**

7 (a) STUDY.—The Secretary of Defense and the Sec-
8 retary of the Interior shall jointly conduct a comprehensive
9 study of the feasibility and advisability of establishing a
10 national park from all or portions of the lands withdrawn
11 by section 2902(a).

12 (b) REPORT.—Not later than 2 years after the date
13 of the enactment of this Act, the Secretary of Defense and
14 the Secretary of the Interior shall jointly submit to Con-
15 gress a report on the study conducted under subsection
16 (a). The report shall include the recommendations of the
17 Secretaries as to the feasibility and advisability of estab-
18 lishing a national park from all or portions of the lands
19 specified in that subsection.

20 **SEC. 2907. LAND MANAGEMENT ANALYSIS.**

21 (a) PERIODIC ANALYSIS REQUIRED.—Not later than
22 10 years after the date of the enactment of this Act, and
23 every 10 years thereafter, the Secretary of the military
24 department concerned shall, in consultation with the Sec-
25 retary of the Interior, conduct an analysis of the degree

1 to which the management of the lands withdrawn by this
2 title conforms to the requirements of laws applicable to
3 the management of such lands, including this title.

4 (b) DEADLINE.—Each analysis under this section
5 shall be completed not later than 270 days after the com-
6 mencement of such analysis.

7 (c) LIMITATION ON COST.—The cost of each analysis
8 under this section may not exceed \$900,000 in constant
9 1999 dollars.

10 (d) REPORT.—Not later than 90 days after the date
11 of the completion of an analysis under this section, the
12 Secretary of the military department concerned shall sub-
13 mit to Congress a report on the analysis. The report shall
14 set forth the results of the analysis and include any other
15 matters relating to the management of the lands with-
16 drawn by this title that such Secretary considers appro-
17 priate.

18 **SEC. 2908. ONGOING ENVIRONMENTAL RESTORATION.**

19 (a) REQUIREMENT.—To the extent provided in ad-
20 vance in appropriations Acts, the Secretary of the military
21 department concerned shall carry out a program to pro-
22 vide for the environmental restoration of the lands with-
23 drawn by this title in order to ensure a level of environ-
24 mental decontamination of such lands equivalent to the

1 level of environmental decontamination that exists on such
2 lands as of the date of the enactment of this Act.

3 (b) REPORTS.—(1) At the same time the President
4 submits to Congress the budget for any fiscal year after
5 fiscal year 2000, the Secretary of the military department
6 concerned shall submit to the committees referred to in
7 paragraph (2) a report on environmental restoration ac-
8 tivities relating to the lands withdrawn by this title. The
9 report shall satisfy the requirements of section 2706(a)
10 of title 10, United States Code, with respect to the activi-
11 ties on such lands.

12 (2) The committees referred to in paragraph (1) are
13 the Committees on Appropriations, Armed Services, and
14 Energy and Natural Resources of the Senate and the
15 Committees on Appropriations, Armed Services, and Re-
16 sources of the House of Representatives.

17 **SEC. 2909. RELINQUISHMENT.**

18 (a) AUTHORITY.—The Secretary of the military de-
19 partment concerned may relinquish all or any of the lands
20 withdrawn by this title to the Secretary of the Interior.

21 (b) NOTICE.—If the Secretary of the military depart-
22 ment concerned determines to relinquish any lands with-
23 drawn by this title under subsection (a), that Secretary
24 shall transmit to the Secretary of the Interior a notice of
25 intent to relinquish such lands.

1 (c) DETERMINATION OF CONTAMINATION.—(1) Be-
2 fore transmitting a notice of intent to relinquish any lands
3 under subsection (b), the Secretary of Defense, acting
4 through the military department concerned, shall deter-
5 mine whether and to what extent such lands are contami-
6 nated with explosive, toxic, or other hazardous materials.

7 (2) A copy of a determination with respect to any
8 lands under paragraph (1) shall be transmitted to the Sec-
9 retary of the Interior together with the notice of intent
10 to relinquish such lands under subsection (b).

11 (3) Copies of both the notice of intent to relinquish
12 lands under subsection (b) and the determination regard-
13 ing the contamination of such lands under this subsection
14 shall be published in the Federal Register by the Secretary
15 of the Interior.

16 (d) DECONTAMINATION.—(1) If any land subject to
17 a notice of intent to relinquish under subsection (a) is con-
18 taminated, and the Secretary of the Interior, in consulta-
19 tion with the Secretary of the military department con-
20 cerned, makes the determination described in paragraph
21 (2), the Secretary of the military department concerned
22 shall, to the extent provided in advance in appropriations
23 Acts, undertake the environmental decontamination of the
24 land.

1 (2) A determination referred to in this paragraph is
2 a determination that—

3 (A) decontamination of the land concerned is
4 practicable and economically feasible (taking into
5 consideration the potential future use and value of
6 the land); and

7 (B) upon decontamination, the land could be
8 opened to operation of some or all of the public land
9 laws, including the mining laws.

10 (e) ALTERNATIVES.—(1) If a circumstance described
11 in paragraph (2) arises with respect to any land which
12 is covered by a notice of intent to relinquish under sub-
13 section (a), the Secretary of the Interior shall not be re-
14 quired to accept the land under this section.

15 (2) A circumstance referred to in this paragraph is—

16 (A) a determination by the Secretary of the In-
17 terior, in consultation with the Secretary of the mili-
18 tary department concerned that—

19 (i) decontamination of the land is not prac-
20 ticable or economically feasible; or

21 (ii) the land cannot be decontaminated to
22 a sufficient extent to permit its opening to the
23 operation of some or all of the public land laws;

24 or

1 (B) the appropriation by Congress of amounts
2 that are insufficient to provide for the decontamina-
3 tion of the land.

4 (f) STATUS OF CONTAMINATED LANDS.—If, because
5 of their contaminated state, the Secretary of the Interior
6 declines to accept jurisdiction over lands withdrawn by
7 this title which have been proposed for relinquishment
8 under subsection (a)—

9 (1) the Secretary of the military department
10 concerned shall take appropriate steps to warn the
11 public of the contaminated state of such lands and
12 any risks associated with entry onto such lands; and

13 (2) the Secretary of the military department
14 concerned shall report to the Secretary of the Inte-
15 rior and to Congress concerning the status of such
16 lands and all actions taken in furtherance of this
17 subsection.

18 (g) REVOCATION OF AUTHORITY.—(1) Notwith-
19 standing any other provision of law, the Secretary of the
20 Interior may, upon deciding that it is in the public interest
21 to accept jurisdiction over lands proposed for relinquis-
22 ment pursuant to subsection (a), revoke the withdrawal
23 established by this title as it applies to such lands.

1 (2) Should the decision be made to revoke the with-
2 drawal, the Secretary of the Interior shall publish in the
3 Federal Register an appropriate order which shall—

4 (A) terminate the withdrawal;

5 (B) constitute official acceptance of full juris-
6 diction over the lands by the Secretary of the Inte-
7 rior; and

8 (C) state the date upon which the lands will be
9 opened to the operation of some or all of the public
10 lands laws, including the mining laws.

11 (h) TREATMENT OF CERTAIN RELINQUISHED
12 LANDS.—Any lands withdrawn by section 2902(c) or
13 2902(d) that are relinquished under this section shall be
14 public lands under the jurisdiction of the Bureau of Land
15 Management and shall be considered vacant, unreserved,
16 and unappropriated for purposes of the public land laws.

17 **SEC. 2910. DELEGABILITY.**

18 (a) DEFENSE.—The functions of the Secretary of De-
19 fense or of the Secretary of a military department under
20 this title may be delegated.

21 (b) INTERIOR.—The functions of the Secretary of the
22 Interior under this title may be delegated, except that an
23 order described in section 2909(g) may be approved and
24 signed only by the Secretary of the Interior, the Under

1 Secretary of the Interior, or an Assistant Secretary of the
2 Interior.

3 **SEC. 2911. WATER RIGHTS.**

4 Nothing in this title shall be construed to establish
5 a reservation to the United States with respect to any
6 water or water right on the lands described in section
7 2902. No provision of this title shall be construed as au-
8 thorizing the appropriation of water on lands described in
9 section 2902 by the United States after the date of the
10 enactment of this Act except in accordance with the law
11 of the relevant State in which lands described in section
12 2902 are located. This section shall not be construed to
13 affect water rights acquired by the United States before
14 the date of the enactment of this Act.

15 **SEC. 2912. HUNTING, FISHING, AND TRAPPING.**

16 All hunting, fishing, and trapping on the lands with-
17 drawn by this title shall be conducted in accordance with
18 the provisions of section 2671 of title 10, United States
19 Code, except that hunting, fishing, and trapping within
20 the Cabeza Prieta National Wildlife Refuge shall be con-
21 ducted in accordance with the National Wildlife Refuge
22 System Administration Act of 1966 (16 U.S.C. 668dd et
23 seq.), the Recreation Use of Wildlife Areas Act of 1962
24 (16 U.S.C. 460k et seq.), and other laws applicable to the
25 National Wildlife Refuge System.

1 **SEC. 2913. MINING AND MINERAL LEASING.**

2 (a) DETERMINATION OF LANDS SUITABLE FOR
3 OPENING.—(1) As soon as practicable after the date of
4 the enactment of this Act and at least every five years
5 thereafter, the Secretary of the Interior shall determine,
6 with the concurrence of the Secretary of the military de-
7 partment concerned, which public and acquired lands (ex-
8 cept as provided in this subsection) described in sub-
9 sections (b), (c), and (d) of section 2902 the Secretary
10 of the Interior considers suitable for opening to the oper-
11 ation of the Mining Law of 1872, the Mineral Lands Leas-
12 ing Act of 1920, the Mineral Leasing Act for Acquired
13 Lands of 1947, the Geothermal Steam Act of 1970, or
14 any one or more of such Acts.

15 (2) The Secretary of the Interior shall publish a no-
16 tice in the Federal Register listing the lands determined
17 suitable for opening pursuant to this section and speci-
18 fying the opening date, except that lands contained within
19 the Cabeza Prieta National Wildlife Refuge in Arizona
20 shall not be determined to be suitable for opening pursu-
21 ant to this section.

22 (b) OPENING LANDS.—On the day specified by the
23 Secretary of the Interior in a notice published in the Fed-
24 eral Register pursuant to subsection (a), the land identi-
25 fied under subsection (a) as suitable for opening to the
26 operation of one or more of the laws specified in sub-

1 section (a) shall automatically be open to the operation
2 of such laws without the necessity for further action by
3 the Secretary or Congress.

4 (c) EXCEPTION FOR COMMON VARIETIES.—No de-
5 posit of minerals or materials of the types identified by
6 section 3 of the Act of July 23, 1955 (69 Stat. 367),
7 whether or not included in the term “common varieties”
8 in that Act, shall be subject to location under the Mining
9 Law of 1872 on lands described in section 2902.

10 (d) REGULATIONS.—(1) The Secretary of the Inte-
11 rior, with the advice and concurrence of the Secretary of
12 the military department concerned, shall prescribe such
13 regulations to implement this section as may be necessary
14 to assure safe, uninterrupted, and unimpeded use of the
15 lands described in section 2902 for military purposes.

16 (2) Such regulations shall contain guidelines to assist
17 mining claimants in determining how much, if any, of the
18 surface of any lands opened pursuant to this section may
19 be used for purposes incident to mining.

20 (e) CLOSURE OF MINING LANDS.—In the event of
21 a national emergency or for purposes of national defense
22 or security, the Secretary of the Interior, at the request
23 of the Secretary of the military department concerned,
24 shall close any lands that have been opened to mining or
25 to mineral or geothermal leasing pursuant to this section.

1 (f) LAWS GOVERNING MINING ON WITHDRAWN
2 LANDS.—(1) Except as otherwise provided in this title,
3 mining claims located pursuant to this title shall be sub-
4 ject to the provisions of the mining laws. In the event of
5 a conflict between those laws and this title, this title shall
6 prevail.

7 (2) All mining claims located under the terms of this
8 title shall be subject to the provisions of the Federal Land
9 Policy and Management Act of 1976 (43 U.S.C. 1701 et
10 seq.).

11 (g) PATENTS.—(1) Patents issued pursuant to this
12 title for locatable minerals shall convey title to locatable
13 minerals only, together with the right to use so much of
14 the surface as may be necessary for purposes incident to
15 mining under the guidelines for such use established by
16 the Secretary of the Interior by regulation.

17 (2) All such patents shall contain a reservation to the
18 United States of the surface of all lands patented and of
19 all nonlocatable minerals on those lands.

20 (3) For the purposes of this subsection, all minerals
21 subject to location under the Mining Law of 1872 shall
22 be treated as locatable minerals.

23 **SEC. 2914. IMMUNITY OF UNITED STATES.**

24 The United States and all departments or agencies
25 thereof shall be held harmless and shall not be liable for

1 any injuries or damages to persons or property suffered
2 in the course of any mining or mineral or geothermal leas-
3 ing activity conducted on lands described in section 2902.