

109TH CONGRESS
1ST SESSION

S. 1044

AN ACT

To authorize appropriations for fiscal year 2006 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 2006”.

1 SEC. 2. TABLE OF CONTENTS.

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

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Congressional defense committees.

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- 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.
- Sec. 2105. Construction of battalion dining facilities, Fort Knox, Kentucky.

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- 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. Modification of authority to carry out certain fiscal year 2005 projects.
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- Sec. 2302. Family housing.
- Sec. 2303. Improvements to military family housing units.
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- Sec. 2402. Energy conservation projects.
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- Sec. 2501. Authorized NATO construction and land acquisition projects.
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- Sec. 2884. Authority to use Papago Park Military Reservation, Arizona, for general military purposes.
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- Sec. 2891. Required consultation with State and local entities on transportation, housing, and other infrastructure issues related to the addition of personnel or facilities at military installations as part of 2005 round of defense base closure and realignment.
- Sec. 2892. Sense of the Senate on reversionary interests at Navy homeports.
- Sec. 2893. Identification of environmental conditions at military installations closed or realigned under 2005 round of defense base closure and realignment.
- Sec. 2894. Sense of Congress on limitation on transfer of units from closed and realigned military installations pending readiness of receiving locations.

1 SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.

2 For purposes of this Act, the term “congressional de-
 3 fense committees” has the meaning given that term in sec-
 4 tion 101(a)(16) of title 10, United States Code.

1 **DIVISION B—MILITARY CON-**
 2 **STRUCTION AUTHORIZA-**
 3 **TIONS**

4 **TITLE XXI—ARMY**

5 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 6 **ACQUISITION PROJECTS.**

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

Army: Inside the United States

State	Installation or location	Amount
Alabama	Redstone Arsenal	\$20,000,000
Alaska	Fort Richardson	\$4,700,000
	Fort Wainwright	\$44,660,000
Arizona	Yuma Proving Ground	\$8,100,000
California	Fort Irwin	\$17,000,000
	Concord	\$11,850,000
Colorado	Fort Carson	\$70,622,000
Georgia	Fort Benning	\$28,211,000
	Fort Gillem	\$3,900,000
	Fort Gordon	\$4,550,000
	Fort Stewart/Hunter Army Air Field	\$57,980,000
Hawaii	Pohakuloa Training Area	\$60,300,000
	Schofield Barracks	\$53,900,000
Kansas	Fort Riley	\$33,900,000
Kentucky	Fort Campbell	\$112,875,000
	Fort Knox	\$4,600,000
Louisiana	Fort Polk	\$28,887,000
Missouri	Fort Leonard Wood	\$17,000,000
New Jersey	Picatiny Arsenal	\$4,450,000
New York	Fort Drum	\$73,350,000
	United States Military Academy, West Point	\$4,000,000
North Carolina	Fort Bragg	\$289,850,000
Oklahoma	Fort Sill	\$5,850,000
	McAlester Army Ammunition Plant	\$5,400,000
Pennsylvania	Letterkenny Depot	\$6,300,000
Texas	Fort Hood	\$46,438,000

Army: Inside the United States—Continued

State	Installation or location	Amount
Utah	Fort Sam Houston	\$7,000,000
	Dugway Proving Ground	\$25,000,000
Virginia	Fort A.P. Hill	\$2,700,000
	Fort Belvoir	\$18,000,000
	Fort Eustis	\$3,100,000
Washington	Fort Myer	\$15,200,000
	Fort Lewis	\$99,949,000
	Total	\$1,189,622,000

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 installations or locations outside the
6 United States, and in the amounts, set forth in the fol-
7 lowing table:

Army: Outside the United States

Country	Installation or location	Amount
Germany	Grafenwoehr	\$84,081,000
Italy	Pisa	\$5,254,000
Korea	Camp Humphreys	\$99,162,000
	Yongpyong	\$1,450,000
	Total	\$189,947,000

8 SEC. 2102. FAMILY HOUSING.

9 (a) CONSTRUCTION AND ACQUISITION.—Using
10 amounts appropriated pursuant to the authorization of ap-
11 propriations in section 2104(a)(5)(A), the Secretary of the
12 Army may construct or acquire family housing units (in-
13 cluding land acquisition and supporting facilities) at the
14 installations or locations, for the purposes, and in the
15 amounts set forth in the following table:

Army: Family Housing

State	Installation or location	Purpose	Amount
Alaska	Fort Richardson	117 Units	\$49,000,000
	Fort Wainwright	180 Units	\$91,000,000
Arizona	Fort Huachuca	131 Units	\$31,000,000
	Yuma Proving Grounds	35 Units	\$11,200,000
Oklahoma	Fort Sill	129 Units	\$24,000,000
Virginia	Fort Lee	96 Units	\$19,500,000
	Fort Monroe	21 Units	\$6,000,000
	Total	\$231,700,000

1 (b) PLANNING AND DESIGN.—Using amounts appro-
2 priated pursuant to the authorization of appropriations in
3 section 2104(a)(5)(A), the Secretary of the Army may
4 carry out architectural and engineering services and con-
5 struction design activities with respect to the construction
6 or improvement of family housing units in an amount not
7 to exceed \$17,536,000.

8 **SEC. 2103. 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 2104(a)(5)(A),
13 the Secretary of the Army may improve existing military
14 family housing units in an amount not to exceed
15 \$300,400,000.

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

17 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
18 are hereby authorized to be appropriated for fiscal years
19 beginning after September 30, 2005, for military con-
20 struction, land acquisition, and military family housing

1 functions of the Department of the Army in the total
2 amount of \$2,972,142,000 as follows:

3 (1) For military construction projects inside the
4 United States authorized by section 2101(a),
5 \$1,012,722,000.

6 (2) For military construction projects outside
7 the United States authorized by section 2101(b),
8 \$189,947,000.

9 (3) For unspecified minor military construction
10 projects authorized by section 2805 of title 10,
11 United States Code, \$20,000,000.

12 (4) For architectural and engineering services
13 and construction design under section 2807 of title
14 10, United States Code, \$163,215,000.

15 (5) For military family housing functions:

16 (A) For construction and acquisition, plan-
17 ning and design, and improvement of military
18 family housing and facilities, \$549,636,000.

19 (B) For support of military family housing
20 (including the functions described in section
21 2833 of title 10, United States Code),
22 \$812,993,000.

23 (6) For the construction of phase 2 of a bar-
24 racks complex at Fort Campbell, Kentucky, author-
25 ized by section 2101(a) of the Military Construction

1 Authorization Act for Fiscal Year 2005 (division B
2 of Public Law 108–375; 118 Stat. 2101),
3 \$24,650,000.

4 (7) For the construction of phase 3 of the
5 Lewis & Clark instructional facility at Fort Leaven-
6 worth, Kansas, authorized by section 2101(a) of the
7 Military Construction Authorization Act for Fiscal
8 Year 2004 (division B of Public Law 108–136; 117
9 Stat. 1697), \$42,642,000.

10 (8) For the construction of phase 2 of trainee
11 barracks basic training complex 1 at Fort Knox,
12 Kentucky, authorized by section 2101(a) of the Mili-
13 tary Construction Authorization Act for Fiscal Year
14 2005 (division B of Public Law 108–375; 118 Stat.
15 2101), \$21,000,000.

16 (9) For the construction of phase 2 of a bar-
17 racks complex renewal at Fort Bragg, North Caro-
18 lina, authorized by section 2101(a) of the Military
19 Construction Authorization Act for Fiscal Year 2005
20 (division B of Public Law 108–375; 118 Stat.
21 2101), \$30,611,000.

22 (10) For the construction of phase 2 of a li-
23 brary and learning center at the United States Mili-
24 tary Academy, West Point, New York, authorized by
25 section 2101(a) of the Military Construction Author-

1 ization Act for Fiscal Year 2005 (division B of Pub-
2 lic Law 108–375; 118 Stat. 2101), \$25,470,000.

3 (11) For the construction of phase 2 of a bar-
4 racks complex at Vilseck, Germany, authorized by
5 section 2101(b) of the Military Construction Author-
6 ization Act for Fiscal Year 2004 (division B of Pub-
7 lic Law 108–136; 117 Stat. 1698), \$13,600,000.

8 (12) For the construction of phase 2 of a vehi-
9 cle maintenance facility at Schofield Barracks, Ha-
10 waii, authorized by section 2101(a) of the Military
11 Construction Authorization Act for Fiscal Year 2005
12 (division B of Public Law 108–375; 118 Stat.
13 2101), \$24,656,000.

14 (13) For the construction of phase 2 of the
15 Drum Road upgrade at Helemano Military Reserva-
16 tion, Hawaii, authorized by section 2101(a) of the
17 Military Construction Authorization Act for Fiscal
18 Year 2005 (division B of Public Law 108–375; 118
19 Stat. 2101), \$41,000,000.

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

1 (1) The total amount authorized to be appro-
2 priated under paragraphs (1), (2), and (3) of sub-
3 section (a).

4 (2) \$16,500,000 (the balance of the amount au-
5 thorized under section 2101(a) for construction of a
6 barracks complex, 10300 block, Fort Drum, New
7 York).

8 (3) \$31,000,000 (the balance of the amount au-
9 thorized under section 2101(a) for construction of a
10 barracks complex for the 2nd Brigade, Fort Bragg,
11 North Carolina).

12 (4) \$77,400,000 (the balance of the amount au-
13 thorized under section 2101(a) for construction of a
14 barracks complex for DIVARTY, Fort Bragg, North
15 Carolina).

16 (5) \$50,000,000 (the balance of the amount au-
17 thorized under section 2101(a) for construction of a
18 barracks complex for the 3rd Brigade, Fort Bragg,
19 North Carolina).

20 (6) \$13,000,000 (the balance of the amount au-
21 thorized under section 2101(a) for construction of a
22 defense access road, Fort Belvoir, Virginia).

1 **SEC. 2105. CONSTRUCTION OF BATTALION DINING FACILI-**
2 **TIES, FORT KNOX, KENTUCKY.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—The
4 amount authorized to be appropriated by section 2104(a)
5 for military construction, land acquisition, and military
6 family housing functions of the Department of the Army
7 and the amount of such funds authorized by paragraph
8 (1) of such subsection for military construction projects
9 inside the United States are each hereby decreased by
10 \$3,600,000.

11 (b) USE OF FUNDS.—Of the amount authorized to
12 be appropriated by section 2104(a)(1) for the Department
13 of the Army and available for military construction at Fort
14 Knox, Kentucky, \$4,600,000 is available for the construc-
15 tion of battalion dining facilities at Fort Knox.

16 **TITLE XXII—NAVY**

17 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**
18 **ACQUISITION PROJECTS.**

19 (a) INSIDE THE UNITED STATES.—Using amounts
20 appropriated pursuant to the authorization of appropria-
21 tions in section 2204(a)(1), the Secretary of the Navy may
22 acquire real property and carry out military construction
23 projects for the installations or locations inside the United
24 States, and in the amounts, set forth in the following
25 table:

Navy: Inside the United States

State	Installation or location	Amount	
Arizona	Marine Corps Air Station, Yuma	\$3,637,000	
California	Marine Corps Air Station, Camp Pendleton	\$1,400,000	
	Marine Corps Base, Camp Pendleton	\$90,437,000	
	Naval Air Station, Lemoore	\$8,480,000	
	Naval Air Warfare Center, China Lake	\$19,158,000	
	Naval Submarine Base, New London	\$4,610,000	
Connecticut	Naval Air Station, Jacksonville	\$88,603,000	
Florida	Naval Air Station, Pensacola	\$8,710,000	
	Naval Station, Mayport	\$10,750,000	
	Navy Diving and Salvage Training Center, Panama City	\$9,678,000	
	Whiting Field	\$4,670,000	
Georgia	Albany Depot	\$4,000,000	
Hawaii	Navy Submarine Base, Kings Bay	\$3,000,000	
	Marine Corps Air Station, Kaneohe Bay	\$5,700,000	
Illinois	Naval Base, Pearl Harbor	\$29,700,000	
	Recruit Training Command, Great Lakes	\$167,750,000	
Indiana	Naval Warfare Center, Crane	\$8,220,000	
Maine	Naval Shipyard, Portsmouth	\$8,100,000	
Maryland	Naval Air Warfare Center, Patuxent River	\$5,800,000	
	United States Naval Academy, Annapolis	\$51,720,000	
	Naval Air Station, Meridian	\$10,450,000	
Mississippi	Marine Corps Air Station, Cherry Point	\$27,147,000	
North Carolina	Marine Corps Base, Camp Lejeune	\$44,590,000	
	Marine Corps Air Station, New River	\$6,840,000	
	Naval Station, Newport	\$10,620,000	
Rhode Island	Naval Air Station, Kingsville	\$6,010,000	
Texas	Marine Corps Air Field, Quantico	\$19,698,000	
Virginia	Marine Corps Base, Quantico	\$4,000,000	
	Naval Air Station, Oceana	\$11,680,000	
	Naval Amphibious Base, Little Creek	\$36,034,000	
	Naval Station, Norfolk	\$111,033,000	
	Naval Surface Warfare Center, Dahlgren	\$9,960,000	
	Washington	Naval Station, Everett	\$70,950,000
		Naval Submarine Base, Bangor	\$60,160,000
	Total	\$963,295,000	

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

Navy: Outside the United States

Country	Installation or location	Amount
Guam	Naval Station, Guam	\$55,473,000
	Total	\$55,473,000

1 SEC. 2202. FAMILY HOUSING.

2 Using amounts appropriated pursuant to the author-
3 ization of appropriations in section 2204(a)(5)(A), the
4 Secretary of the Navy may construct or acquire family
5 housing units (including land acquisition and supporting
6 facilities) at the installation or location, for the purpose,
7 and in the amount set forth in the following table:

Navy: Family Housing

State	Installation or Location	Purpose	Amount
Guam	Naval Station, Guam	126 Units	\$43,495,000
	Total	\$43,495,000

**8 SEC. 2203. 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 2204(a)(5)(A),
13 the Secretary of the Navy may improve existing military
14 family housing units in an amount not to exceed
15 \$178,644,000.

16 SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

17 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
18 are hereby authorized to be appropriated for fiscal years
19 beginning after September 30, 2005, for military con-

1 construction, land acquisition, and military family housing
2 functions of the Department of the Navy in the total
3 amount of \$1,918,465,000, as follows:

4 (1) For military construction projects inside the
5 United States authorized by section 2201(a),
6 \$761,751,000.

7 (2) For military construction projects outside
8 the United States authorized by section 2201(b),
9 \$25,584,000.

10 (3) For unspecified minor construction projects
11 authorized by section 2805 of title 10, United States
12 Code, \$1.

13 (4) For architectural and engineering services
14 and construction design under section 2807 of title
15 10, United States Code, \$54,507,000.

16 (5) For military family housing functions:

17 (A) For construction and acquisition, plan-
18 ning and design, and improvement of military
19 family housing and facilities, \$222,139,000.

20 (B) For support of military family housing
21 (including functions described in section 2833
22 of title 10, United States Code), \$593,660,000.

23 (6) For the construction of increment 2 of the
24 Presidential Helicopter program support facility at
25 Naval Air Warfare Station, Patuxent River, Mary-

1 land, authorized by section 2201(e) of the Military
2 Construction Authorization Act for Fiscal Year 2005
3 (division B of Public Law 108–375; 118 Stat.
4 2106), \$55,700,000.

5 (7) For the construction of increment 2 of the
6 apron and hangar recapitalization at Naval Air
7 Field, El Centro, California, authorized by section
8 2201(a) of the Military Construction Authorization
9 Act for Fiscal Year 2005 (division B of Public Law
10 108–375; 118 Stat. 2105), \$18,666,000.

11 (8) For the construction of increment 3 of pier
12 11 replacement at Naval Station, Norfolk, Virginia,
13 authorized by section 2201(a) of the Military Con-
14 struction Authorization Act for Fiscal Year 2004
15 (division B of Public Law 108–136; 117 Stat.
16 1704), \$40,200,000.

17 (9) For the construction of increment 2 of the
18 limited area production and storage complex at Stra-
19 tegic Weapons Facility Pacific, Bangor, Washington,
20 authorized by section 2201(a) of the Military Con-
21 struction Authorization Act for Fiscal Year 2005
22 (division B of Public Law 108–375; 118 Stat.
23 2106), \$47,095,000.

24 (10) For the construction of increment 2 of a
25 White Side complex at Marine Corps Air Facility,

1 Quantico, Virginia, authorized by section 2201(a) of
2 the Military Construction Authorization Act for Fis-
3 cal Year 2005 (division B of Public Law 108–375;
4 118 Stat. 2106), \$34,730,000.

5 (11) For the construction of increment 3 of the
6 general purpose berthing pier at Naval Weapons
7 Station, Earle, New Jersey, authorized by section
8 2201(a) of the Military Construction Authorization
9 Act for Fiscal Year 2004 (division B of Public Law
10 108–136; 117 Stat. 1704), \$64,432,000.

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

17 (1) The total amount authorized to be appro-
18 priated under paragraphs (1), (2), and (3) of sub-
19 section (a).

20 (2) \$43,424,000 (the balance of the amount au-
21 thorized under section 2201(a) to replace a heli-
22 copter hangar, Naval Air Station, Jacksonville, Flor-
23 ida).

24 (3) \$45,850,000 (the balance of the amount au-
25 thorized under section 2201(a) to upgrade infra-

1 structure, Recruit Training Command, Great Lakes,
2 Illinois).

3 (4) \$26,790,000 (the balance of the amount au-
4 thORIZED under section 2201(a) for construction of
5 the Wesley Brown Field House, United States Naval
6 Academy, Annapolis, Maryland).

7 (5) \$31,059,000 (the balance of the amount au-
8 THORIZED under section 2201(a) to replace ship repair
9 pier 3, Naval Station, Norfolk, Virginia).

10 (6) \$21,000,000 (the balance of the amount au-
11 THORIZED under section 2201(a) for construction of a
12 bachelor enlisted quarters for the homeport ashore
13 program, Naval Station, Everett, Washington).

14 (7) \$33,421,000 (the balance of the amount au-
15 THORIZED under section 2201(a) to perform reclama-
16 tion and conveyance activities, Marine Corps Base,
17 Camp Pendleton, California).

18 (8) \$29,889,000 (the balance of the amount au-
19 THORIZED under section 2201(b) to improve Alpha/
20 Bravo wharves, Naval Station, Guam).

21 (c) ADJUSTMENT.—The total amount authorized to
22 be appropriated pursuant to paragraphs (1) through (11)
23 of subsection (a) is the sum of the amounts authorized
24 to be appropriated in such paragraphs, reduced by
25 \$92,354,000, which represents prior year savings.

1 **SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **CERTAIN FISCAL YEAR 2005 PROJECTS.**

3 (a) MODIFICATION OF INSIDE THE UNITED STATES
4 PROJECTS.—The table in section 2201(a) of the Military
5 Construction Authorization Act for Fiscal Year 2005 (di-
6 vision B of Public Law 108–375; 118 Stat. 2106) is
7 amended—

8 (1) in the item relating to Marine Corps Air
9 Facility, Quantico, Virginia, by striking
10 “\$73,838,000” in the amount column and inserting
11 “\$74,470,000”; and

12 (2) by striking the amount identified as the
13 total in the amount column and inserting
14 “\$952,687,000”.

15 (b) MODIFICATION OF UNSPECIFIED WORLDWIDE
16 PROJECT.—The table in section 2201(c) of the Military
17 Construction Authorization Act for Fiscal Year 2005 (di-
18 vision B of Public Law 108–375; 118 Stat. 2106) is
19 amended—

20 (1) in the item relating to Unspecified World-
21 wide, by striking “\$105,982,000” in the amount col-
22 umn and inserting “\$95,200,000”; and

23 (2) by striking the amount identified as the
24 total in the amount column and inserting
25 “\$95,200,000”.

1 (c) CONFORMING AMENDMENTS.—Section 2204(b)
2 of that Act (118 Stat. 2108) is amended—

3 (1) in paragraph (4), by striking
4 “\$34,098,000” and inserting “\$34,730,000”; and

5 (2) in paragraph (7), by striking
6 “\$65,982,000” and inserting “\$55,200,000”.

7 **SEC. 2206. MODIFICATION OF AUTHORITY TO CARRY OUT**
8 **CERTAIN FISCAL YEAR 2004 PROJECT.**

9 (a) MODIFICATION OF INSIDE THE UNITED STATES
10 PROJECT.—The table in section 2201(a) of the Military
11 Construction Authorization Act for Fiscal Year 2004 (di-
12 vision B of Public Law 108–136; 117 Stat. 1704) is
13 amended—

14 (1) in the item relating to Naval Weapons Sta-
15 tion, Earle, New Jersey, by striking “\$123,720,000”
16 in the amount column and inserting
17 “\$140,372,000”; and

18 (2) by striking the amount identified as the
19 total in the amount column and inserting
20 “\$1,352,524,000”.

21 (b) CONFORMING AMENDMENT.—Section 2204(b)(4)
22 of that Act is amended by striking “\$96,980,000” and in-
23 serting “\$113,652,000”.

1 **TITLE XXIII—AIR FORCE**
 2 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 3 **LAND ACQUISITION PROJECTS.**

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

Air Force: Inside the United States

State	Installation or location	Amount
Alabama	Maxwell Air Force Base	\$14,900,000
Alaska	Clear Air Station	\$20,000,000
	Elmendorf Air Force Base	\$84,820,000
Arizona	Davis-Monthan Air Force Base	\$8,600,000
	Luke Air Force Base	\$13,000,000
Arkansas	Little Rock Air Force Base	\$2,500,000
California	Beale Air Force Base	\$14,200,000
	Edwards Air Force Base	\$103,000,000
	Travis Air Force Base	\$42,500,000
	Vandenberg Air Force Base	\$16,845,000
Colorado	Buckley Air Force Base	\$20,100,000
	Peterson Air Force Base	\$12,800,000
	United States Air Force Academy ..	\$13,000,000
Delaware	Dover Air Force Base	\$19,000,000
District of Columbia	Bolling Air Force Base	\$14,900,000
Florida	Cape Canaveral	\$6,200,000
	Hurlburt Field	\$2,540,000
	MacDill Air Force Base	\$107,200,000
	Tyndall Air Force Base	\$11,500,000
Georgia	Robins Air Force Base	\$2,000,000
Hawaii	Hickam Air Force Base	\$13,378,000
Idaho	Mountain Home Air Force Base	\$9,835,000
Louisiana	Barksdale Air Force Base	\$10,800,000
Massachusetts	Hanscom Air Force Base	\$3,900,000
Mississippi	Columbus Air Force Base	\$10,000,000
	Keesler Air Force Base	\$47,500,000
Missouri	Whiteman Air Force Base	\$5,721,000
Montana	Malmstrom Air Force Base	\$13,500,000
Nebraska	Offutt Air Force Base	\$63,080,000
Nevada	Indian Springs Air Force Auxiliary Field	\$60,724,000
	Nellis Air Force Base	\$24,370,000
New Jersey	McGuire Air Force Base	\$13,185,000
New Mexico	Holloman Air Force Base	\$15,000,000
	Kirtland Air Force Base	\$6,600,000
North Dakota	Minot Air Force Base	\$8,700,000
Ohio	Wright-Patterson Air Force Base ..	\$19,670,000

Air Force: Inside the United States—Continued

State	Installation or location	Amount
Oklahoma	Tinker Air Force Base	\$31,960,000
	Vance Air Force Base	\$14,000,000
South Carolina	Charleston Air Force Base	\$2,583,000
	Shaw Air Force Base	\$9,730,000
South Dakota	Ellsworth Air Force Base	\$8,400,000
Texas	Sheppard Air Force Base	\$36,000,000
Utah	Hill Air Force Base	\$33,900,000
Virginia	Langley Air Force Base	\$38,665,000
Washington	Fairechild Air Force Base	\$8,200,000
	Total	\$1,039,006,000

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 or 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
Germany	Ramstein Air Base	\$11,650,000
	Spangdahlem Air Base	\$12,474,000
Guam	Andersen Air Base	\$18,500,000
Italy	Aviano Air Base	\$22,660,000
Korea	Kunsan Air Base	\$44,188,000
	Osan Air Base	\$39,719,000
Portugal	Lajes Field, Azores	\$12,000,000
Turkey	Incirlik Air Base	\$5,780,000
United Kingdom	Royal Air Force, Lakenheath	\$5,125,000
	Royal Air Force, Mildenhall	\$13,500,000
	Total	\$185,596,000

8 **SEC. 2302. FAMILY HOUSING.**

9 (a) CONSTRUCTION AND ACQUISITION.—Using
10 amounts appropriated pursuant to the authorization of ap-
11 propriations in section 2304(a)(5)(A), the Secretary of the
12 Air Force may construct or acquire family housing units
13 (including land acquisition and supporting facilities) at the

1 installations or locations, for the purposes, and in the
 2 amounts set forth in the following table:

Air Force: Family Housing

State	Installation or location	Purpose	Amount
Alaska	Eielson Air Force Base	392 Units ...	\$55,794,000
California	Edwards Air Force Base ...	226 Units ...	\$59,699,000
Florida	MacDill Air Force Base ...	109 Units ...	\$40,982,000
Idaho	Mountain Home Air Force Base	194 Units ...	\$56,467,000
Missouri	Whiteman Air Force Base	111 Units ...	\$26,917,000
Montana	Malmstrom Air Force Base	296 Units ...	\$68,971,000
North Carolina	Seymour Johnson Air Force Base	255 Units ...	\$48,868,000
North Dakota	Grand Forks Air Force Base	300 Units ...	\$86,706,000
	Minot Air Force Base	223 Units ...	\$44,548,000
South Carolina	Charleston Air Force Base	10 Units	\$15,935,000
South Dakota	Ellsworth Air Force Base	60 Units	\$14,383,000
Texas	Dyess Air Force Base	190 Units ...	\$43,016,000
Germany	Ramstein Air Base	101 Units ...	\$62,952,000
Turkey	Incirlik Air Base	100 Units ...	\$22,730,000
United Kingdom	Royal Air Force, Lakenheath	107 Units ...	\$48,437,000
	Total	\$696,405,000

3 (b) PLANNING AND DESIGN.—Using amounts appro-
 4 priated pursuant to the authorization of appropriations in
 5 section 2304(a)(5)(A), the Secretary of the Air Force may
 6 carry out architectural and engineering services and con-
 7 struction design activities with respect to the construction
 8 or improvement of military family housing units in an
 9 amount not to exceed \$37,104,000.

10 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
 11 **UNITS.**

12 Subject to section 2825 of title 10, United States
 13 Code, and using amounts appropriated pursuant to the
 14 authorization of appropriations in section 2304(a)(5)(A),
 15 the Secretary of the Air Force may improve existing mili-

1 tary family housing units in an amount not to exceed
2 \$409,113,000.

3 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
4 **FORCE.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
6 are hereby authorized to be appropriated for fiscal years
7 beginning after September 30, 2005, for military con-
8 struction, land acquisition, and military family housing
9 functions of the Department of the Air Force in the total
10 amount of \$3,108,982,000, as follows:

11 (1) For military construction projects inside the
12 United States authorized by section 2301(a),
13 \$914,006,000.

14 (2) For military construction projects outside
15 the United States authorized by section 2301(b),
16 \$185,596,000.

17 (3) For unspecified minor military construction
18 projects authorized by section 2805 of title 10,
19 United States Code, \$15,000,000.

20 (4) For architectural and engineering services
21 and construction design under section 2807 of title
22 10, United States Code, \$83,719,000.

23 (5) For military family housing functions:

1 (A) For construction and acquisition, plan-
2 ning and design, and improvement of military
3 family housing and facilities, \$1,142,622,000.

4 (B) For support of military family housing
5 (including functions described in section 2833
6 of title 10, United States Code), \$766,939,000.

7 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
8 PROJECTS.—Notwithstanding the cost variations author-
9 ized by section 2853 of title 10, United States Code, and
10 any other cost variation authorized by law, the total cost
11 of all projects carried out under section 2301 of this Act
12 may not exceed the sum of the following:

13 (1) The total amount authorized to be appro-
14 priated under paragraphs (1), (2), and (3) of sub-
15 section (a).

16 (2) \$30,000,000 (the balance of the amount au-
17 thorized under section 2301(a) for a C-17 mainte-
18 nance complex, Elmendorf Air Force Base, Alaska).

19 (3) \$66,000,000 (the balance of the amount au-
20 thorized under section 2301(a) to replace the main
21 runway, Edwards Air Force Base, California).

22 (4) \$29,000,000 (the balance of the amount au-
23 thorized under section 2301(a) for construction of a
24 joint intelligence center for Headquarters, Central
25 Command, MacDill Air Force Base, Florida).

TITLE XXIV—DEFENSE AGENCIES

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

Agency	Installation or location	Amount
Defense Intelligence Agency	Bolling Air Force Base, District of Columbia	\$7,900,000
Defense Logistics Agency	Cannon Air Force Base, New Mexico	\$13,200,000
	Defense Distribution Depot, New Cumberland, Pennsylvania	\$6,500,000
	Defense Distribution Depot, Tracy, California	\$33,635,000
	Fort Belvoir, Virginia	\$4,500,000
	Marine Corps Air Station Yuma, Arizona	\$7,300,000
	McConnell Air Force Base, Kansas	\$15,800,000
	Miramar, California	\$23,000,000
	Naval Station, Norfolk, Virginia	\$6,700,000
	Seymour Johnson Air Force Base, North Carolina	\$18,500,000
Defense Education Agency ...	Fort Bragg, North Carolina	\$18,075,000
	Fort Stewart/Hunter Army Air Field, Georgia	\$16,629,000
National Security Agency	Augusta, Georgia	\$61,466,000
	Fort Meade, Maryland	\$28,049,000
	Kunua, Hawaii	\$61,466,000
Special Operations Command	Eglin Air Force Base, Florida	\$12,800,000
	Fort Bragg, North Carolina	\$14,769,000
	Fort Campbell, Kentucky	\$37,800,000
	Fort Lewis, Washington	\$53,300,000
	Fort Stewart/Hunter Army Air Field, Georgia	\$10,000,000
	Naval Surface Warfare Center, Corona, California	\$28,350,000
TRICARE Management Activity	Beale Air Force Base, California	\$18,000,000
	Charleston, South Carolina	\$35,000,000
	Fort Detrick, Maryland	\$55,200,000
	Keesler Air Force Base, Mississippi	\$14,000,000

Defense Agencies: Inside the United States—Continued

Agency	Installation or location	Amount
	Lackland Air Force Base, Texas	\$11,000,000
	Naval Hospital, San Diego, California	\$15,000,000
	Nellis Air Force Base, Nevada	\$1,700,000
	Uniformed Services University of the Health Sciences, Bethesda, Maryland	\$10,350,000
	Peterson Air Force Base, Colorado ..	\$1,820,000
	Total	\$641,809,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2403(a)(2), the Secretary of Defense may
4 acquire real property and carry out military construction
5 projects for the installations or 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 Agency ...	Landstuhl, Germany	\$6,543,000
	Vilseck, Germany	\$2,323,000
	Agana, Guam	\$40,578,000
	Taegu, Korea	\$8,231,000
	Naval Station, Rota, Spain	\$7,963,000
Defense Logistics Agency	Souda Bay, Greece	\$7,089,000
Missile Defense Agency	Kwajalien Atoll, Kwajalien	\$4,901,000
National Security Agency	Menwith Hall, United Kingdom	\$41,697,000
TRICARE Management Activity	Bahrain, SWA	\$4,750,000
	Total	\$124,075,000

8 **SEC. 2402. ENERGY CONSERVATION PROJECTS.**

9 Using amounts appropriated pursuant to the author-
10 ization of appropriations in section 2403(a)(6), the Sec-
11 retary of Defense may carry out energy conservation
12 projects under section 2865 of title 10, United States
13 Code, in the amount of \$60,000,000.

1 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DE-**
2 **FENSE AGENCIES.**

3 (a) IN GENERAL.—Funds are hereby authorized to
4 be appropriated for fiscal years beginning after September
5 30, 2005, for military construction, land acquisition, and
6 military family housing functions of the Department of
7 Defense (other than the military departments) in the total
8 amount of \$2,973,914,000, as follows:

9 (1) For military construction projects inside the
10 United States authorized by section 2401(a),
11 \$641,809,000.

12 (2) For military construction projects outside
13 the United States authorized by section 2401(b),
14 \$123,104,000.

15 (3) For unspecified minor military construction
16 projects under section 2805 of title 10, United
17 States Code, \$15,736,000.

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

21 (5) For architectural and engineering services
22 and construction design under section 2807 of title
23 10, United States Code, \$135,081,000.

24 (6) For energy conservation projects authorized
25 by section 2403 of this Act, \$60,000,000.

1 (7) For base closure and realignment activities
2 funded through the account created pursuant to sec-
3 tion 2906 of, and authorized by, the Defense Base
4 Closure and Realignment Act of 1990 (part A of
5 title XXIX of Public Law 101–510; 10 U.S.C. 2687
6 note), \$377,827,000.

7 (8) For base closure and realignment activities
8 funded through the account created pursuant to sec-
9 tion 2906A of, and authorized by, the Defense Base
10 Closure and Realignment Act of 1990 (part A of
11 title XXIX of Public Law 101–510; 10 U.S.C. 2687
12 note), \$1,504,466,000.

13 (9) For military family housing functions:

14 (A) For support of military family housing
15 (including functions described in section 2833
16 of title 10, United States Code), \$46,391,000.

17 (B) For credit to the Department of De-
18 fense Family Housing Improvement Fund es-
19 tablished by section 2883(a)(1) of title 10,
20 United States Code, \$2,500,000.

21 (10) For the construction of increment 2 of the
22 hospital replacement at Fort Belvoir, Virginia, au-
23 thorized by section 2401(a) of the Military Construc-
24 tion Authorization Act of Fiscal Year 2005 (division

1 B of Public Law 108–375; 118 Stat. 2100),
2 \$57,000,000.

3 (b) NOTICE AND WAIT REQUIREMENT APPLICABLE
4 TO OBLIGATION OF FUNDS FOR BASE CLOSURE AND RE-
5 ALIGNMENT ACTIVITIES.—None of the funds authorized
6 to be appropriated by subsection (a)(8) may be obligated
7 until 21 days after the date on which the Secretary of
8 Defense submits to the congressional defense committees
9 a report describing the specific programs, projects, and
10 activities for which such funds are to be obligated.

11 **TITLE XXV—NORTH ATLANTIC**
12 **TREATY ORGANIZATION SE-**
13 **CURITY INVESTMENT PRO-**
14 **GRAM**

15 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
16 **ACQUISITION PROJECTS.**

17 The Secretary of Defense may make contributions for
18 the North Atlantic Treaty Organization Security Invest-
19 ment program as provided in section 2806 of title 10,
20 United States Code, in an amount not to exceed the sum
21 of the amount authorized to be appropriated for this pur-
22 pose in section 2502 and the amount collected from the
23 North Atlantic Treaty Organization as a result of con-
24 struction previously financed by the United States.

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

2 Funds are hereby authorized to be appropriated for
3 fiscal years beginning after September 30, 2005, for con-
4 tributions by the Secretary of Defense under section 2806
5 of title 10, United States Code, for the share of the United
6 States of the cost of projects for the North Atlantic Treaty
7 Organization Security Investment program authorized by
8 section 2501, in the amount of \$206,858,000.

9 **TITLE XXVI—GUARD AND**
10 **RESERVE FORCES FACILITIES**

11 **SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUC-**
12 **TION AND LAND ACQUISITION PROJECTS.**

13 Funds are hereby authorized to be appropriated for
14 fiscal years beginning after September 30, 2005, for the
15 costs of acquisition, architectural and engineering services,
16 and construction of facilities for the reserve components,
17 and for contributions therefore, under chapter 1803 of
18 title 10, United States Code (including the cost of acqui-
19 sition of land for those facilities), in the following amounts:

20 (1) For the Department of the Army—

21 (A) for the Army National Guard of the
22 United States, \$445,100,000; and

23 (B) for the Army Reserve, \$121,077,000.

24 (2) For the Department of the Navy, for the
25 Naval and Marine Corps Reserve, \$50,226,000.

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

1 (A) for the Air National Guard of the
2 United States, \$264,061,000; and

3 (B) for the Air Force Reserve,
4 \$79,260,000.

5 **SEC. 2602. SPECIFIC AUTHORIZED ARMY NATIONAL GUARD**
6 **CONSTRUCTION PROJECTS.**

7 (a) CAMP ROBERTS, CALIFORNIA.—Of the amount
8 authorized to be appropriated for the Department of the
9 Army for the Army National Guard of the United States
10 under section 2601(1)(A)—

11 (1) \$1,500,000 is available for the construction
12 of an urban combat course at Camp Roberts, Cali-
13 fornia; and

14 (2) \$1,500,000 is available for the addition or
15 alteration of a field maintenance shop at Fort
16 Dodge, Iowa.

17 **SEC. 2603. CONSTRUCTION OF FACILITIES, NEW CASTLE**
18 **COUNTY AIRPORT AIR GUARD BASE, DELA-**
19 **WARE.**

20 Of the amount authorized to be appropriated for the
21 Department of the Air Force for the Air National Guard
22 of the United States under section 2601(3)(A)—

23 (1) \$1,400,000 is available for the construction
24 of a security forces facility at New Castle County
25 Airport Air Guard Base, Delaware; and

1 (2) \$1,500,000 is available for the construction
2 of a medical training facility at New Castle County
3 Airport Air Guard Base, Delaware.

4 **SEC. 2604. CONSTRUCTION OF MAINTENANCE HANGAR,**
5 **NEW CASTLE COUNTY AIRPORT AIR GUARD**
6 **BASE, DELAWARE.**

7 (a) AUTHORIZATION OF APPROPRIATIONS.—The
8 amount authorized to be appropriated by section
9 2601(3)(A) for the Department of the Air Force for the
10 Air National Guard of the United States is hereby in-
11 creased by \$1,440,000.

12 (b) USE OF FUNDS.—Of the amount authorized to
13 be appropriated by section 2601(3)(A) for the Department
14 of the Air Force for the Air National Guard of the United
15 States, as increased by subsection (a), \$1,440,000 is avail-
16 able for planning and design for a replacement C-130 air-
17 craft maintenance hangar at Air National Guard New
18 Castle County Airport, Delaware.

19 (c) OFFSET.—The amount authorized to be appro-
20 priated by section 2204(a) for military construction, land
21 acquisition, and military family housing functions of the
22 Department of the Navy and the amount of such funds
23 authorized by paragraph (11) of such subsection for the
24 construction of increment 3 of the general purpose berth-

1 ing pier at Naval Weapons Station, Earle, New Jersey,
2 are each hereby decreased by \$1,440,000.

3 **SEC. 2605. NATIONAL GUARD CONSTRUCTION PROJECTS.**

4 (a) ARMY NATIONAL GUARD AT CAMP DAWSON,
5 WEST VIRGINIA.—

6 (1) AUTHORIZATION OF APPROPRIATIONS.—

7 The amount authorized to be appropriated by sec-
8 tion 2601(1)(A) for the Department of the Army for
9 the Army National Guard of the United States is
10 hereby increased by \$4,500,000.

11 (2) USE OF FUNDS.—Of the amount authorized
12 to be appropriated by section 2601(1)(A) for the De-
13 partment of the Army for the Army National Guard
14 of the United States, as increased by paragraph (1),
15 \$4,500,000 is available for the construction of a
16 readiness center at Camp Dawson, West Virginia.

17 (3) OFFSET.—The amount authorized to be ap-
18 propriated by section 2601(3)(A) for the Depart-
19 ment of the Air Force for the Air National Guard
20 of the United States, and available for the construc-
21 tion of a bridge/gate house/force protection entry
22 project at Camp Yeager, West Virginia, is hereby
23 decreased by \$4,500,000.

24 (b) AIR NATIONAL GUARD AT EASTERN WEST VIR-
25 GINIA REGIONAL AIRPORT.—Of the amount authorized to

1 be appropriated by section 2603(3)(A) for the Department
 2 of the Air Force for the Air National Guard of the United
 3 States, and otherwise available for the construction of a
 4 bridge/gate house/force protection entry project at Air Na-
 5 tional Guard Base, West Virginia, \$2,000,000 shall be
 6 available instead for C-5 aircraft shop upgrades at East-
 7 ern West Virginia Regional Airport, Shepherd Field, Mar-
 8 tinsburg, West Virginia.

9 **TITLE XXVII—EXPIRATION AND**
 10 **EXTENSION OF AUTHORIZA-**
 11 **TIONS**

12 **SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND**
 13 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
 14 **LAW.**

15 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE
 16 YEARS.—Except as provided in subsection (b), all author-
 17 izations contained in titles XXI through XXVI for military
 18 construction projects, land acquisition, family housing
 19 projects and facilities, and contributions to the North At-
 20 lantic Treaty Organization Security Investment program
 21 (and authorizations of appropriations therefor) shall ex-
 22 pire on the later of—

23 (1) October 1, 2008; or

1 (2) the date of the enactment of an Act author-
2 izing funds for military construction for fiscal year
3 2009.

4 (b) EXCEPTION.—Subsection (a) shall not apply to
5 authorizations for military construction projects, land ac-
6 quisition, family housing projects and facilities, and con-
7 tributions to the North Atlantic Treaty Organization Se-
8 curity Investment program (and authorizations of appro-
9 priations therefor), for which appropriated funds have
10 been obligated before the later of—

11 (1) October 1, 2008; or

12 (2) the date of the enactment of an Act author-
13 izing funds for fiscal year 2009 for military con-
14 struction projects, land acquisition, family housing
15 projects and facilities, or contributions to the North
16 Atlantic Treaty Organization Security Investment
17 program.

18 **SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
19 **FISCAL YEAR 2003 PROJECTS.**

20 (a) EXTENSION.—Notwithstanding section 2701 of
21 the Military Construction Authorization Act for Fiscal
22 Year 2003 (division B of Public Law 107–314; 116 Stat.
23 2681), authorizations set forth in the tables in subsection
24 (b), as provided in sections 2301, 2302, and 2401 of that
25 Act, shall remain in effect until October 1, 2006, or the

1 date of the enactment of an Act authorizing funds for mili-
 2 tary construction for fiscal year 2007, whichever is later.

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

Air Force: Extension of 2003 Project Authorizations

State	Installation or loca- tion	Project	Amount
Florida	Eglin Air Force Base ..	Replace family housing (134 Units)	\$15,906,000
Florida	Eglin Air Force Base ..	Replace Family Housing Of- fice	\$597,000
Mississippi	Keesler Air Force Base	Replace family housing (117 Units)	\$16,505,000
Texas	Randolph Air Force Base	Replace family housing (112 Units)	\$14,311,000
Texas	Randolph Air Force Base	Replace Hous- ing Mainte- nance Facil- ity	\$447,000
Italy	Aviano Air Base	Consolidate Area A-1 and A-2	\$5,000,000

Defense Wide: Extension of 2003 Project Authorization

Agency	Installation or loca- tion	Project	Amount
Special Operations Command.	Stennis Space Center, Mississippi	SOF Training Range	\$5,000,000

5 **SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 6 **FISCAL YEAR 2002 PROJECTS.**

7 (a) EXTENSION.—Notwithstanding section 2701 of
 8 the Military Construction Authorization Act for Fiscal
 9 Year 2002 (division B of Public Law 107–107; 115 Stat.
 10 1301), authorizations set forth in the tables in subsection
 11 (b), as provided in sections 2101 and 2302 of that Act,
 12 shall remain in effect until October 1, 2006, or the date

1 of the enactment of an Act authorizing funds for military
2 construction for fiscal year 2007, whichever is later.

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

Army: Extension of 2002 Project Authorization

State	Installation or location	Project	Amount
Hawaii	Pohakuloa Training Facility	Land purchase	\$1,500,000

Air Force: Extension of 2002 Project Authorization

State	Installation or location	Project	Amount
Louisiana	Barksdale Air Force Base	Replace family housing (56 Units)	\$7,300,000

5 **SEC. 2704. EFFECTIVE DATE.**

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

8 (1) October 1, 2005; or

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

10 **TITLE XXVIII—GENERAL**
11 **PROVISIONS**

12 **Subtitle A—Military Construction**
13 **Program and Military Family**
14 **Housing Changes**

15 **SEC. 2801. INCREASE IN THRESHOLDS FOR UNSPECIFIED**
16 **MINOR MILITARY CONSTRUCTION PROJECTS.**

17 (a) INCREASE.—Section 2805(a)(1) of title 10,
18 United States Code, is amended—

1 (1) by striking “\$1,500,000” and inserting
2 “\$2,500,000”; and

3 (2) by striking “\$3,000,000” and inserting
4 “\$4,000,000”.

5 (b) **EFFECTIVE DATE.**—The amendments made by
6 subsection (a) shall take effect on October 1, 2005.

7 **SEC. 2802. MODIFICATION OF COST VARIATION AUTHORITY.**

8 (a) **LIMITATION ON COST DECREASES RELATED TO**
9 **MILITARY CONSTRUCTION AND MILITARY FAMILY HOUS-**
10 **ING PROJECTS.**—Section 2853 of title 10, United States
11 Code, is amended—

12 (1) in subsection (a)—

13 (A) by striking “may be increased by not
14 more than 25 percent” and inserting “may be
15 increased or decreased by not more than 25
16 percent”; and

17 (B) by striking “if the Secretary concerned
18 determines that such an increase in cost is re-
19 quired” and inserting “if the Secretary con-
20 cerned determines that such revised cost is re-
21 quired”;

22 (2) in subsection (c)—

23 (A) by striking “limitation on cost in-
24 crease” and inserting “limitation on cost vari-
25 ations”; and

1 (B) by striking “the increase” both place
 2 it appears and inserting “the variation”; and
 3 (3) in subsection (d), by striking “limitation on
 4 cost increases” and inserting “limitation on cost
 5 variations”.

6 (b) ADDITIONAL INFORMATION REQUIRED FOR NO-
 7 TIFICATION IN CONNECTION WITH WAIVER OF LIMITA-
 8 TIONS ON COST INCREASES.—Subsection (c)(2) of such
 9 section is further amended by inserting after “the reasons
 10 therefor” the following: “, including a description of the
 11 funds proposed to be used to finance any increased costs”.

12 (c) TECHNICAL AMENDMENTS.—

13 (1) SECTION HEADING.—The heading of such
 14 section is amended to read as follows:

15 **“§ 2853. Authorized cost and scope of work vari-**
 16 **ations”.**

17 (2) TABLE OF SECTIONS.—The item relating to
 18 such section in the table of sections at the beginning
 19 of chapter 169 of such title is amended to read as
 20 follows:

“2853. Authorized cost and scope of work variations.”.

21 **SEC. 2803. DEPARTMENT OF DEFENSE HOUSING FUNDS.**

22 (a) REQUIREMENT TO FUND CERTAIN ACQUISITION
 23 AND IMPROVEMENT OF MILITARY HOUSING SOLELY
 24 THROUGH DEFENSE HOUSING FUNDS.—Subsection (e) of
 25 section 2883 of title 10, United States Code, is amended—

1 (1) by striking “The Secretary” and inserting
2 “(1) The Secretary”; and

3 (2) by adding at the end the following new
4 paragraph:

5 “(2) The Funds established under subsection (a)
6 shall be the sole source of funds for activities carried out
7 under this subchapter.”.

8 (b) AUTHORITY TO TRANSFER FUNDS APPRO-
9 PRIATED FOR THE IMPROVEMENT OF MILITARY FAMILY
10 HOUSING TO DEFENSE HOUSING FUNDS.—Subsection
11 (c)(1)(B) of such section is amended by striking “acquisi-
12 tion or construction” and inserting “acquisition, improve-
13 ment, or construction”.

14 (c) REPORTING REQUIREMENTS RELATED TO DE-
15 PARTMENT OF DEFENSE HOUSING FUNDS.—Section
16 2884 of such title is amended—

17 (1) in subsection (a)(2)(D), by inserting after
18 “description of the source of such funds” the fol-
19 lowing: “, including a description of the specific con-
20 struction, acquisition, or improvement projects from
21 which funds were transferred to the Funds estab-
22 lished under section 2883 of this title in order to fi-
23 nance the contract, conveyance, or lease”; and

24 (2) in subsection (b)(1)—

1 (A) by striking “a report” and inserting “a
2 separate report”;

3 (B) by striking “covering the Funds” and
4 inserting “covering each of the Funds”; and

5 (C) by striking the period at the end and
6 inserting the following: “, including a descrip-
7 tion of the specific construction, acquisition, or
8 improvement projects from which funds were
9 transferred and the privatization projects or
10 contracts to which those funds were trans-
11 ferred. Each report shall also include, for each
12 military department or defense agency, a de-
13 scription of all funds to be transferred to such
14 Funds for the current fiscal year and the next
15 fiscal year.”.

16 **SEC. 2804. TEMPORARY AUTHORITY TO USE MINOR MILI-**
17 **TARY CONSTRUCTION AUTHORITY FOR CON-**
18 **STRUCTION OF CHILD DEVELOPMENT CEN-**
19 **TERS.**

20 (a) **THRESHOLDS ON CONSTRUCTION AUTHOR-**
21 **IZED.**—The Secretary of Defense shall establish a pro-
22 gram to carry out minor military construction projects
23 under section 2805 of title 10, United States Code, to con-
24 struct child development centers.

1 (b) INCREASED MAXIMUM AMOUNTS APPLICABLE TO
2 MINOR CONSTRUCTION PROJECTS.—For the purpose of
3 any military construction project carried out under the au-
4 thority provided by this section—

5 (1) the amount specified in the second sentence
6 of subsection (a)(1) of section 2805 of title 10,
7 United States Code, shall be deemed to be
8 \$7,000,000;

9 (2) the amount specified in the third sentence
10 of subsection (a)(1) of such section shall be deemed
11 to be \$8,000,000;

12 (3) the amount specified in subsection (b)(1) of
13 such section shall be deemed to be \$5,000,000;

14 (4) the amount specified in subsection (c)(1)(A)
15 of such section shall be deemed to be \$7,000,000;
16 and

17 (5) the amount specified in subsection (c)(1)(B)
18 of such section shall be deemed to be \$5,000,000.

19 (c) PROGRAM REQUIREMENTS.—

20 (1) NOTIFICATION.—All notification require-
21 ments under such section shall remain in effect for
22 construction projects carried out under the authority
23 provided by this section.

24 (2) REVIEW AND APPROVAL.—The Secretary
25 shall establish procedures for the review and ap-

1 proval of requests from the Secretaries of military
2 departments to carry out construction projects under
3 the authority provided by this section.

4 (d) REPORT ON PROGRAM.—

5 (1) REPORT REQUIRED.—Not later than March
6 1, 2007, the Secretary of Defense shall submit to
7 the congressional defense committees a report on the
8 program authorized under this section.

9 (2) CONTENT.—The report shall include—

10 (A) a list and description of the construc-
11 tion projects carried out under the program, in-
12 cluding the location and cost of each such
13 project; and

14 (B) the assessment of the Secretary of the
15 advisability of extending or expanding the au-
16 thority for the program under this section.

17 (e) EXPIRATION OF AUTHORITY.—The authority pro-
18 vided by this section expires on September 30, 2007.

19 (f) CONSTRUCTION OF AUTHORITY.—Nothing in this
20 section may be construed to limit any other authority pro-
21 vided by law for a military construction project at a child
22 development center.

23 (g) CHILD DEVELOPMENT CENTER DEFINED.—In
24 this section, the term “child development center” includes
25 a facility, and the utilities to support such facility, the

1 function of which is to support the daily care of children
 2 aged 6 weeks old through 5 years old for full-day, part-
 3 day, and hourly service.

4 **SEC. 2805. INAPPLICABILITY TO CHILD DEVELOPMENT**
 5 **CENTERS OF RESTRICTION ON AUTHORITY**
 6 **TO ACQUIRE OR CONSTRUCT ANCILLARY**
 7 **SUPPORTING FACILITIES.**

8 Section 2881(b) of title 10, United States Code, is
 9 amended by inserting “, other than a project for the acqui-
 10 sition or construction of a child development center,” after
 11 “A project referred to in subsection (a)”.

12 **SEC. 2806. AUTHORITY TO CARRY OUT EXCHANGES OF FA-**
 13 **CILITIES INCLUDING ASSOCIATED UTILITIES,**
 14 **EQUIPMENT, AND FURNISHINGS.**

15 (a) IN GENERAL.—Section 18240 of title 10, United
 16 States Code, is amended by adding at the end the fol-
 17 lowing new subsection:

18 “(h) FACILITY DEFINED.—In this section, the term
 19 ‘facility’ includes—

20 “(1) any facility, as that term is defined in sec-
 21 tion 18232(2) of this title; and

22 “(2) any associated utilities, equipment, and
 23 furnishings required to be installed in any such facil-
 24 ity.”.

1 (b) TEMPORARY AUTHORITY RELATED TO CASH
 2 EQUALIZATION PAYMENTS.—Section 2809(c)(4) of the
 3 Ronald W. Reagan National Defense Authorization Act
 4 for Fiscal Year 2005 (Public Law 108–375; 118 Stat.
 5 2127) is amended by striking “the term ‘facility’ has the
 6 meaning given that term in section 18232(2) of title 10,
 7 United States Code” and inserting the following: “the
 8 term ‘facility’ has the meaning given that term in section
 9 18240(h) of title 10, United States Code”.

10 **SEC. 2807. INCREASE IN NUMBER OF FAMILY HOUSING**
 11 **UNITS IN KOREA AUTHORIZED FOR LEASE BY**
 12 **THE ARMY AT MAXIMUM AMOUNT.**

13 Section 2828(e)(4) of title 10, United States Code,
 14 is amended by striking “2,400” and inserting “2,800”.

15 **Subtitle B—Real Property and**
 16 **Facilities Administration**

17 **SEC. 2821. AUTHORITY TO LEASE NON-EXCESS PROPERTY**
 18 **OF DEPARTMENT OF DEFENSE FIELD ACTIVI-**
 19 **TIES.**

20 Section 2667a of title 10, United States Code, is
 21 amended—

22 (1) by amending the heading to read as follows:

1 **“§ 2667a. Leases: non-excess property of Defense**
 2 **Agencies and Department of Defense**
 3 **Field Activities”;**

4 (2) in subsection (a)(1), by striking “Defense
 5 agency” and inserting “Defense Agency or Depart-
 6 ment of Defense Field Activity”; and

7 (3) in subsection (d)—

8 (A) by striking “Defense agency” and in-
 9 serting “Defense Agency or Department of De-
 10 fense Field Activity”; and

11 (B) by striking “a Defense agency’s special
 12 account” and inserting “the special account of
 13 a Defense Agency or Department of Defense
 14 Field Activity”.

15 **SEC. 2822. MODIFIED CRITERIA FOR AGREEMENTS TO**
 16 **LIMIT ENCROACHMENTS AND OTHER CON-**
 17 **STRAINTS ON MILITARY TRAINING, TESTING,**
 18 **AND OPERATIONS.**

19 (a) MODIFIED CRITERIA.—Section 2684a of title 10,
 20 United States Code, is amended—

21 (1) in subsection (a)—

22 (A) by inserting “or entities” after “enti-
 23 ty”; and

24 (B) by striking “in the vicinity of a mili-
 25 tary installation” and inserting “in the vicinity

1 of, or ecologically related to, a military installa-
2 tion or the airspace of such installation”;

3 (2) in subsection (d)—

4 (A) in paragraph (1)—

5 (i) by striking “An agreement with an
6 eligible entity under this section may pro-
7 vide for” and inserting “An agreement
8 with an eligible entity or entities under this
9 section shall provide for”;

10 (ii) in subparagraph (A), by inserting
11 “or entities” after “entity”; and

12 (iii) by amending subparagraph (B) to
13 read as follows:

14 “(B) the equal sharing by the Department of
15 Defense and the entity or entities of the acquisition
16 costs, whether by contribution of funding or like-
17 kind exchange of property or lesser property inter-
18 est.”;

19 (B) by redesignating paragraphs (2), (3),
20 (4), and (5) as paragraphs (4), (5), (6), and
21 (7), respectively;

22 (C) by inserting after paragraph (1) the
23 following new paragraphs:

1 “(2) The Secretary concerned may waive the require-
2 ment in paragraph (1)(B) to equally share acquisition
3 costs if—

4 “(A) the Secretary determines that the agree-
5 ment is essential to accomplish the mission of the in-
6 stallation;

7 “(B) the Secretary notifies the congressional
8 defense committees in writing of the determination
9 and the reasons for the determination; and

10 “(C) a period of 21 days has elapsed after the
11 date on which such notification is received by the
12 committees.

13 “(3) The acquisition cost of any lesser interest in the
14 property may not exceed 70 percent of the appraised value
15 of the property.”; and

16 (D) in paragraph (5), as redesignated by
17 subparagraph (B), by inserting “or entities”
18 after “entity”;

19 (3) by redesignating subsection (h) as sub-
20 section (i); and

21 (4) by inserting after subsection (g) the fol-
22 lowing new subsection:

23 “(h) ANNUAL REPORTS.—(1) Not later than March
24 15, 2006, and annually thereafter, the Secretary of De-
25 fense shall, in coordination with the Secretaries of the

1 military departments and the Director of the Department
2 of Defense Test Management Resource Center, submit to
3 the congressional defense committees a report on the im-
4 plementation of projects undertaken pursuant to this sec-
5 tion.

6 “(2) The reports submitted under paragraph (1) shall
7 include—

8 (A) a description of the status of such projects;

9 (B) an assessment of the effectiveness of such
10 projects and other actions undertaken pursuant to
11 this section as part of a long-range strategy to en-
12 sure the sustainability of military test and training
13 ranges, military installations, and associated air-
14 space;

15 (C) an evaluation of the methodology and cri-
16 teria used to select and prioritize projects under-
17 taken pursuant to this section;

18 (D) a description of the shared costs by the De-
19 partment of Defense and the eligible entity or enti-
20 ties under each agreement undertaken or proposed;
21 and

22 (E) recommendations for any legislation or
23 changes in regulations to increase the efficiency and
24 effectiveness of actions taken under this section.”.

1 (b) APPLICABILITY OF MODIFIED CRITERIA.—The
 2 requirement under subsection (d)(1)(B) of such section
 3 (as amended by subsection (a)(2)(A)(iii)) that an agree-
 4 ment under such section shall provide for the equal shar-
 5 ing of acquisition costs by the Department of Defense and
 6 an eligible entity or entities shall not apply to an agree-
 7 ment initiated before the date of the enactment of this
 8 Act.

9 **SEC. 2823. EXPANDED AUTHORITY TO ENTER INTO LEASE-**
 10 **PURCHASE AGREEMENTS.**

11 Section 2812 of title 10, United States Code, is
 12 amended—

13 (1) in subsection (a)(1)—

14 (A) by striking “a private contractor” and
 15 inserting “an eligible entity”; and

16 (B) by striking “the contractor” and in-
 17 serting “the eligible entity”;

18 (2) in subsection (c)—

19 (A) by striking “(c)(1)” and inserting
 20 “(c)”;

21 (B) by striking paragraph (2); and

22 (C) by redesignating subparagraphs (A)
 23 and (B) as paragraphs (1) and (2); and

24 (3) by adding at the end the following new sub-
 25 section:

1 “(e) In this section, the term ‘eligible entity’ means
2 any private person, corporation, firm, partnership, com-
3 pany, or State or local government.”.

4 **Subtitle C—Land Conveyances**

5 **PART I—ARMY CONVEYANCES**

6 **SEC. 2841. LAND CONVEYANCE, HELENA, MONTANA.**

7 (a) CONVEYANCE AUTHORIZED.—The Secretary of
8 the Army may convey by quitclaim deed to the Helena In-
9 dian Alliance, all right, title, and interest of the United
10 States in and to a parcel of real property consisting of
11 approximately 3.0 acres located at Sheridan Hall United
12 States Army Reserve Center, 501 Euclid Avenue, Helena,
13 Montana, including improvements thereon, for the pur-
14 poses of supporting Native American health care, mental
15 health counseling, and the operation of an education train-
16 ing center.

17 (b) REVERSIONARY INTEREST.—If the Secretary de-
18 termines at any time that the real property conveyed
19 under subsection (a) is not being used in accordance with
20 the purposes of the conveyance specified in such sub-
21 section, all right, title, and interest in and to the property
22 shall revert, at the option of the Secretary, to the United
23 States, and the United States shall have the right of im-
24 mediate entry onto the property. Any determination of the

1 Secretary under this subsection shall be made on the
2 record after an opportunity for a hearing.

3 (c) PAYMENT OF COSTS OF CONVEYANCE.—

4 (1) IN GENERAL.—The Secretary shall require
5 the Helena Indian Alliance to cover costs to be in-
6 curred by the Secretary, or to reimburse the Sec-
7 retary for costs incurred by the Secretary, to carry
8 out the conveyance under subsection (a), including
9 survey costs, costs related to environmental docu-
10 mentation, and other administrative costs related to
11 the conveyance. If amounts are collected from the
12 Helena Indian Alliance in advance of the Secretary
13 incurring the actual costs, and the amount collected
14 exceeds the costs actually incurred by the Secretary
15 to carry out the conveyance, the Secretary shall re-
16 fund the excess amount to the Alliance.

17 (2) REIMBURSEMENT.—Amounts received as
18 reimbursement under paragraph (1) shall be cred-
19 ited to the fund or account that was used to cover
20 the costs incurred by the Secretary in carrying out
21 the conveyance. Amounts so credited shall be merged
22 with amounts in such fund or account and shall be
23 available for the same purposes, and subject to the
24 same conditions and limitations, as amounts in such
25 fund or account.

1 (d) DESCRIPTION OF REAL PROPERTY.—The exact
2 acreage and legal description of the real property to be
3 conveyed under subsection (a) shall be determined by a
4 survey satisfactory to the Secretary.

5 (e) ADDITIONAL TERMS AND CONDITIONS.—The
6 Secretary may require such additional terms and condi-
7 tions in connection with the conveyance under subsection
8 (a) as the Secretary considers appropriate to protect the
9 interests of the United State.

10 **SEC. 2842. LAND CONVEYANCE, ARMY RESERVE CENTER,**
11 **BOTHELL, WASHINGTON.**

12 (a) CONVEYANCE AUTHORIZED.—The Secretary of
13 the Army may convey, without consideration, to the Sno-
14 homish County Fire Protection District #10 (in this sec-
15 tion referred to as the “Fire District”) all right, title, and
16 interest of the United States in and to a parcel of real
17 property, including any improvements thereon, consisting
18 of approximately 1.0 acres located at the Army Reserve
19 Center, Bothell, Washington, for the purpose of permit-
20 ting the Fire District to operate a fire station on the prop-
21 erty.

22 (b) REVERSIONARY INTEREST.—If the Secretary de-
23 termines at any time that the real property conveyed
24 under subsection (a) is not being used in accordance with
25 the purpose of the conveyance specified in such subsection,

1 all right, title, and interest in and to the property shall
2 revert, at the option of the Secretary, to the United States,
3 and the United States shall have the right of immediate
4 entry onto the property. Any determination of the Sec-
5 retary under this subsection shall be made on the record
6 after an opportunity for a hearing.

7 (c) PAYMENT OF COSTS OF CONVEYANCE.—

8 (1) IN GENERAL.—The Secretary may require
9 the Fire District to cover costs to be incurred by the
10 Secretary, or to reimburse the Secretary for costs in-
11 curred by the Secretary, to carry out the conveyance
12 under subsection (a), including survey costs, costs
13 related to environmental documentation, and other
14 administrative costs related to the conveyance. If
15 amounts are collected from the Fire District in ad-
16 vance of the Secretary incurring the actual costs,
17 and the amount collected exceeds the costs actually
18 incurred by the Secretary to carry out the convey-
19 ance, the Secretary shall refund the excess amount
20 to Fire District.

21 (2) REIMBURSEMENT.—Amounts received as
22 reimbursement under paragraph (1) shall be cred-
23 ited to the fund or account that was used to cover
24 the costs incurred by the Secretary in carrying out
25 the conveyance. Amounts so credited shall be merged

1 with amounts in such fund or account, and shall be
2 available for the same purposes, and subject to the
3 same conditions and limitations, as amounts in such
4 fund or account.

5 (d) DESCRIPTION OF PROPERTY.—The exact acreage
6 and legal description of the real property to be conveyed
7 under subsection (a) shall be determined by surveys satis-
8 factory to the Secretary. The cost of each survey shall be
9 borne by the Fire District.

10 (e) ADDITIONAL TERMS AND CONDITIONS.—The
11 Secretary may require such additional terms and condi-
12 tions in connection with the conveyance under subsection
13 (a) as the Secretary considers appropriate to protect the
14 interests of the United States.

15 **SEC. 2843. LAND CONVEYANCE, IOWA ARMY AMMUNITION**
16 **PLANT, MIDDLETOWN, IOWA.**

17 (a) CONVEYANCE AUTHORIZED.—The Secretary of
18 the Army may convey to the City of Middletown (in this
19 section referred to as the “City”) all right, title, and inter-
20 est of the United States in and to a parcel of real property,
21 including any improvements thereon, consisting of ap-
22 proximately 1.0 acres located at the Iowa Army Ammuni-
23 tion Plant, Middletown, Iowa, for the purpose of economic
24 development.

1 (b) CONSIDERATION.—As consideration for the con-
2 veyance of property under subsection (a), the City shall
3 provide the United States, whether by cash payment, in-
4 kind consideration, or a combination thereof, an amount
5 that is not less than the fair market value of the conveyed
6 property, as determined by the Secretary.

7 (c) PAYMENT OF COSTS OF CONVEYANCE.—

8 (1) IN GENERAL.—The Secretary may require
9 the City to cover costs to be incurred by the Sec-
10 retary, or to reimburse the Secretary for costs in-
11 curred by the Secretary, to carry out the conveyance
12 under subsection (a), including survey costs, costs
13 related to environmental documentation, and other
14 administrative costs related to the conveyance. If
15 amounts are collected from the City in advance of
16 the Secretary incurring the actual costs, and the
17 amount collected exceeds the costs actually incurred
18 by the Secretary to carry out the conveyance, the
19 Secretary shall refund the excess amount to the
20 City.

21 (2) REIMBURSEMENT.—Amounts received as
22 reimbursement under paragraph (1) shall be cred-
23 ited to the fund or account that was used to cover
24 the costs incurred by the Secretary in carrying out
25 the conveyance. Amounts so credited shall be merged

1 with amounts in such fund or account, and shall be
2 available for the same purposes, and subject to the
3 same conditions and limitations, as amounts in such
4 fund or account.

5 (d) DESCRIPTION OF PROPERTY.—The exact acreage
6 and legal description of the real property to be conveyed
7 under subsection (a) shall be determined by surveys satis-
8 factory to the Secretary. The cost of each survey shall be
9 borne by the City.

10 (e) ADDITIONAL TERMS AND CONDITIONS.—The
11 Secretary may require such additional terms and condi-
12 tions in connection with the conveyance under subsection
13 (a) as the Secretary considers appropriate to protect the
14 interests of the United States.

15 **PART II—NAVY CONVEYANCES**

16 **SEC. 2851. LAND CONVEYANCE, MARINE CORPS AIR STA- 17 **TION, MIRAMAR, SAN DIEGO, CALIFORNIA.****

18 (a) CONVEYANCE AUTHORIZED.—Subject to sub-
19 section (c), the Secretary of the Navy may convey to the
20 County of San Diego, California (in this section referred
21 to as the “County”), all right, title, and interest of the
22 United States in and to a parcel of real property, including
23 any improvements thereon and appurtenant easements
24 thereto, consisting of approximately 230 acres located on
25 the eastern boundary of Marine Corps Air Station,

1 Miramar, California, for the purpose of removing the
2 property from the boundaries of the installation and per-
3 mitting the County to preserve the entire property known
4 as the Stowe Trail as a public passive park/recreational
5 area.

6 (b) CONSIDERATION.—

7 (1) IN GENERAL.—As consideration for the con-
8 veyance under subsection (a), the County shall pro-
9 vide the United States an amount with a total value
10 that is not less than the fair market value of the
11 conveyed real property, as determined by the Sec-
12 retary.

13 (c) REVERSIONARY INTEREST.—

14 (1) IN GENERAL.—If the Secretary determines
15 at any time that the real property conveyed under
16 subsection (a) is not being used in accordance with
17 the purpose of the conveyance specified in such sub-
18 section, all right, title, and interest in and to the
19 property, including any improvements thereon, shall
20 revert, at the option of the Secretary, to the United
21 States, and the United States shall have the right of
22 immediate entry onto the property. Any determina-
23 tion of the Secretary under this subsection shall be
24 made on the record after an opportunity for a hear-
25 ing.

1 (2) RELEASE OF REVERSIONARY INTEREST.—

2 The Secretary shall release, without consideration,
3 the reversionary interest retained by the United
4 States under paragraph (1) if the Marine Corps Air
5 Station, Miramar, is no longer being used for De-
6 partment of Defense activities.

7 (d) PAYMENT OF COSTS OF CONVEYANCE.—

8 (1) PAYMENT REQUIRED.—The Secretary shall
9 require the County to cover costs to be incurred by
10 the Secretary, or to reimburse the Secretary for
11 costs incurred by the Secretary, to carry out the
12 conveyance under subsection (a) and implement the
13 receipt of consideration under subsection (b), includ-
14 ing appraisal costs, survey costs, costs related to en-
15 vironmental documentation, and other administrative
16 costs related to the conveyance and receipt of consid-
17 eration. If amounts are collected from the County in
18 advance of the Secretary incurring the actual costs,
19 and the amount received exceeds the costs actually
20 incurred by the Secretary under this section, the
21 Secretary shall refund the excess amount to the
22 County.

23 (2) REIMBURSEMENT.—Amounts received as
24 reimbursement under paragraph (1) shall be cred-
25 ited to the fund or account that was used to cover

1 the costs incurred by the Secretary in carrying out
2 the conveyance. Amounts so credited shall be merged
3 with amounts in such fund or account and shall be
4 available for the same purposes, and subject to the
5 same conditions and limitations, as amounts in such
6 fund or account.

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

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

16 **SEC. 2852. LEASE OF UNITED STATES NAVY MUSEUM FA-**
17 **CILITIES AT WASHINGTON NAVY YARD, DIS-**
18 **TRICT OF COLUMBIA.**

19 (a) LEASE OR LICENSE AUTHORIZED.—

20 (1) IN GENERAL.—The Secretary of the Navy
21 may lease to the Naval Historical Foundation (in
22 this section referred to as the “Foundation”) facili-
23 ties located at Washington Naval Yard, Washington,
24 District of Columbia, that house the United States
25 Navy Museum (in this section referred to as the

1 “Museum”) for the purpose of carrying out the fol-
2 lowing activities:

3 (A) Generation of revenue for the Museum
4 through the rental of facilities to the public,
5 commercial and non-profit entities, State and
6 local governments, and other Federal agencies.

7 (B) Administrative activities in support of
8 the Museum.

9 (2) LIMITATION.—Any activities carried out at
10 the leased facilities under paragraph (1) must be
11 consistent with the operations of the Museum.

12 (b) CONSIDERATION.—The amount of consideration
13 paid in a year by the Foundation to the United States
14 for the lease of facilities under subsection (a) may not ex-
15 ceed the actual cost, as determined by the Secretary, of
16 the annual operation and maintenance of the facilities.

17 (c) USE OF PROCEEDS.—

18 (1) DEPOSIT OF PROCEEDS.—The Secretary
19 shall deposit any amounts received under subsection
20 (b) for the lease or license of facilities under sub-
21 section (a) into the account for appropriations avail-
22 able for the operation and maintenance of the Mu-
23 seum.

24 (2) AVAILABILITY OF AMOUNTS.—The Sec-
25 retary may use any amounts deposited under para-

1 graph (1) to cover the costs associated with the op-
2 eration and maintenance of the Museum and its ex-
3 hibits.

4 (d) **ADDITIONAL TERMS AND CONDITIONS.**—The
5 Secretary may require such additional terms and condi-
6 tions in connection with the lease or lease of facilities
7 under subsection (a) as the Secretary considers appro-
8 priate to protect the interests of the United States.

9 **PART III—AIR FORCE CONVEYANCES**

10 **SEC. 2861. ACQUISITION OF BUILD-TO-LEASE FAMILY HOUS-**
11 **ING AT EIELSON AIR FORCE BASE, ALASKA.**

12 (a) **ACQUISITION AUTHORIZED.**—

13 (1) **IN GENERAL.**—The Secretary of the Air
14 Force may purchase the entire interest of the devel-
15 oper in the military family housing project at
16 Eielson Air Force Base, Alaska, described in para-
17 graph (2) if the Secretary determines that the pur-
18 chase is in the best economic interests of the Air
19 Force.

20 (2) **DESCRIPTION OF PROJECT.**—The military
21 family housing project referred to in this section is
22 the 300-unit military family housing project at
23 Eielson Air Force Base that was constructed by the
24 developer and is leased by the Secretary under sec-
25 tion 2835 of title 10, United States Code (in this

1 section referred to as the “Eielson housing
2 project”).

3 (b) CONSIDERATION.—The consideration paid by the
4 Secretary under this section for the interest of the devel-
5 oper in the Eielson housing project may not exceed an
6 amount equal to the fair market value of such interest,
7 as determined by the Secretary.

8 (c) TIME FOR PURCHASE.—

9 (1) IN GENERAL.—Subject to paragraph (2),
10 the Secretary may make the purchase authorized by
11 subsection (a) at any time after the end of the term
12 of the lease for the Eielson housing project.

13 (2) NOTICE AND WAIT REQUIREMENT.—The
14 Secretary may not make the purchase authorized by
15 subsection (a) until 30 days after notifying the con-
16 gressional defense committees of the Secretary’s
17 election to make such purchase.

18 **SEC. 2862. LAND CONVEYANCE, AIR FORCE PROPERTY, LA**

19 **JUNTA, COLORADO.**

20 (a) CONVEYANCE AUTHORIZED.—The Secretary of
21 the Air Force may convey, without consideration, to the
22 City of La Junta, Colorado (in this section referred to as
23 the “City”), all right, title, and interest of the United
24 States in and to a parcel of real property, including im-
25 provements thereon, consisting of approximately 8 acres

1 located at the USA Bomb Plot in the La Junta Industrial
2 Park for the purpose of training local law enforcement of-
3 ficers.

4 (b) PAYMENT OF COSTS OF CONVEYANCE.—

5 (1) IN GENERAL.—The Secretary shall require
6 the City to cover costs to be incurred by the Sec-
7 retary after the date of enactment of the Act, or to
8 reimburse the Secretary for costs incurred by the
9 Secretary after that date, to carry out the convey-
10 ance under subsection (a), including any survey
11 costs, costs related to environmental assessments,
12 studies, analyses, or other documentation, and other
13 administrative costs related to the conveyance. If
14 amounts are collected from the City in advance of
15 the Secretary incurring the actual costs, and the
16 amount collected exceeds the costs actually incurred
17 by the Secretary to carry out the conveyance, the
18 Secretary shall refund the excess amount to the
19 City.

20 (2) TREATMENT OF AMOUNTS RECEIVED.—

21 Amounts received as reimbursement under para-
22 graph (1) shall be credited to the fund or account
23 that was used to cover the costs incurred by the Sec-
24 retary in carrying out the conveyance. Amounts so
25 credited shall be merged with amounts in such fund

1 or account, and shall be available for the same pur-
2 poses, and subject to the same conditions and limita-
3 tions, as amounts in such fund or account.

4 (c) DESCRIPTION OF PROPERTY.—The exact acreage
5 and legal description of the property to be conveyed under
6 subsection (a) shall be determined by a survey satisfactory
7 to the Secretary.

8 (d) ADDITIONAL TERMS AND CONDITIONS.—The
9 Secretary may require such additional terms and condi-
10 tions in connection with the conveyance under subsection
11 (a) as the Secretary considers appropriate to protect the
12 interests of the United States.

13 **Subtitle D—Other Matters**

14 **SEC. 2881. REORGANIZATION AND TECHNICAL IMPROVE-** 15 **MENT OF CODIFIED LAWS APPLICABLE TO** 16 **REAL PROPERTY OF THE DEPARTMENT OF** 17 **DEFENSE.**

18 (a) CONSOLIDATION OF ACQUISITION AUTHORITY.—
19 Section 2663 of title 10, United States Code, is
20 amended—

21 (1) in the heading, by inserting “**authority**”
22 after “**Acquisition**”;

23 (2) in subsection (a)—

1 (A) by redesignating paragraphs (1), (2),
2 and (3) as subparagraphs (A), (B), and (C), re-
3 spectively;

4 (B) by striking “(a) The Secretary” and
5 inserting the following:

6 “(a) IN GENERAL.—(1) The Secretary”; and

7 (C) in paragraph (1)(C), as redesignated
8 by this paragraph, by striking “clause (2)” and
9 inserting “subparagraph (B)”;

10 (3) by redesignating subsections (b), (c), and
11 (d), as paragraphs (2), (3), and (4), respectively;

12 (4) by striking “subsection (a)” each place it
13 appears and inserting “paragraph (1)”;

14 (5) by adding at the end the following new sub-
15 sections:

16 “(b) LOW-COST INTERESTS IN LAND.—(1) The Sec-
17 retary of a military department may acquire any interest
18 in land that—

19 “(A) the Secretary determines—

20 “(i) is needed in the interest of na-
21 tional defense; and

22 “(ii) does not cost more than
23 \$750,000, exclusive of administrative costs
24 and the amounts of any deficiency judg-
25 ments; or

1 “(B) the Secretary determines—

2 “(i) is needed solely to correct a defi-
3 ciency that is life-threatening, health-
4 threatening, or safety-threatening; and

5 “(ii) does not cost more than
6 \$1,500,000, exclusive of administrative
7 costs and the amounts of any deficiency
8 judgments.

9 “(2) This subsection does not apply to the acquisi-
10 tion, as part of the same project, of more than one parcel
11 of land unless—

12 “(A) the parcels are noncontiguous; or

13 “(B) if the parcels are contiguous—

14 “(i) the total cost of such parcels is not
15 more than \$750,000 in the case of an acquisi-
16 tion under paragraph (1)(A); or

17 “(ii) the total cost of such parcels is not
18 more than \$1,500,000 in the case of an acquisi-
19 tion under paragraph (1)(B).

20 “(3) Appropriations available to the Department of
21 Defense for operation and maintenance or for military
22 construction may be used for the acquisition of land or
23 interests in land under paragraph (1).

24 “(c) INTERESTS IN LAND WHEN NEED IS UR-
25 GENT.—(1) The Secretary of a military department may

1 acquire any interest in land in any case in which the Sec-
2 retary determines that—

3 “(A) the acquisition is needed in the inter-
4 est of national defense;

5 “(B) the acquisition is required to main-
6 tain the operational integrity of a military in-
7 stallation; and

8 “(C) considerations of urgency do not per-
9 mit the delay necessary to include the acquisi-
10 tion in an annual Military Construction Author-
11 ization Act.

12 “(2) Not later than 10 days after the date on which
13 the Secretary of a military department determines to ac-
14 quire an interest in land under the authority of this sub-
15 section, the Secretary shall submit to the Committee on
16 Armed Services of the Senate and the Committee on
17 Armed Services of the House of Representatives written
18 notice containing a description of the property and interest
19 to be acquired and the reasons for the acquisition.

20 “(3) Appropriations available for military construc-
21 tion may be used for the acquisition of land under this
22 subsection.

23 “(d) SCOPE OF AUTHORITY.—The authority to ac-
24 quire interests in real property (including a temporary in-
25 terest) under this section includes authority to—

1 “(1) make surveys; and

2 “(2) acquire interests in real property by gift,
3 purchase, exchange of real property owned by the
4 United States, or otherwise.”.

5 (b) ACQUISITION LIMITATIONS.—

6 (1) TRANSFER OF LIMITATIONS.—Section 2676
7 of such title is—

8 (A) transferred to appear after section
9 2663 of such title; and

10 (B) redesignated as section 2664 of such
11 title.

12 (2) STYLISTIC AND CLERICAL AMENDMENTS.—
13 Section 2664 of such title, as redesignated by para-
14 graph (1), is amended—

15 (A) by striking subsection (b);

16 (B) by redesignating subsections (c), (d),
17 and (e) as subsections (b), (c), and (d), respec-
18 tively;

19 (C) in subsection (b), as redesignated by
20 subparagraph (B)—

21 (i) by striking “determines (A) that
22 such” and inserting the following: “deter-
23 mines that—

24 “(A) such”;

1 (ii) by striking “cost, and (B) that
2 such” and inserting the following: “cost;
3 and

4 “(B) that such”; and

5 (iii) by striking “subsection (d)” and
6 inserting “subsection (c)”;

7 (D) in subsection (c), as so redesignated,
8 by striking “subsection (e)” and inserting “sub-
9 section (b)”;

10 (E) in subsection (d), as so redesignated,
11 by striking “subsections (c) and (d)” and in-
12 serting “subsections (b) and (c)”.

13 (c) REPEAL OF CONSOLIDATED SECTIONS.—The fol-
14 lowing sections of chapter 159 of such title are repealed:

15 (1) Section 2672.

16 (2) Section 2672a.

17 (d) CLERICAL AMENDMENTS.—The table of sections
18 at the beginning of such chapter is amended—

19 (1) by amending the item relating to section
20 2663 to read as follows:

“2663. Acquisition authority.”;

21 (2) by inserting after the item relating to sec-
22 tion 2663 the following new item:

“2664. Acquisition: limitations.”; and

23 (3) by striking the items relating to sections
24 2672, 2672a, and 2676.

1 (e) REPEAL OF OBSOLETE AUTHORITY.—Section
2 2665 of such title is amended—

3 (1) by striking subsection (a);

4 (2) by redesignating subsections (b), (c), (d),
5 (e), and (f) as subsections (a), (b), (c), (d), and (e),
6 respectively;

7 (3) in subsection (b), as redesignated by para-
8 graph (2), by striking “subsection (a) or (b)” and
9 inserting “subsection (a)”; and

10 (4) in paragraph (2) of subsection (e), as so
11 redesignated—

12 (A) by striking “subsections (a) and (b)”
13 and inserting “subsection (a)”; and

14 (B) by striking “subsection (d)” and in-
15 serting “subsection (e)”; and

16 (C) by striking “subsection (e)” and in-
17 serting “subsection (d)”.

18 (f) TRANSFER OF FORD ISLAND PROVISION.—

19 (1) TRANSFER AND REDESIGNATION.—Section
20 2814 of such title is—

21 (A) transferred to appear after section
22 7524 of such title; and

23 (B) redesignated as section 7525 of such
24 title.

1 (2) TECHNICAL AND CONFORMING AMEND-
 2 MENTS.—Subsection (i) of section 7525 of such title,
 3 as transferred and redesignated by paragraph (1), is
 4 amended—

5 (A) in paragraph (2)—

6 (i) by striking “To extent” and insert-
 7 ing “To the extent; and

8 (ii) by striking “this chapter” and in-
 9 serting “chapter 169 of this title”; and

10 (B) in paragraph (3)(B), by striking “this
 11 chapter” and inserting “chapter 169 of this
 12 title”.

13 (3) CLERICAL AMENDMENTS.—(A) The table of
 14 sections at the beginning of chapter 169 of such title
 15 is amended by striking the item relating to section
 16 2814.

17 (B) The table of sections at the beginning of
 18 chapter 645 of such title is amended by adding at
 19 the end the following new item:

“7525. Special authority for development of Ford Island, Hawaii.”.

20 (g) APPLICATION OF REAL PROPERTY MANAGEMENT
 21 AUTHORITIES TO PENTAGON RESERVATION.—Section
 22 2661 of such title is amended by adding at the end the
 23 following new subsection:

24 “(d) In this chapter, the terms ‘Secretary concerned’
 25 and ‘Secretary of a military department’ include the Sec-

1 retary of Defense with respect to the Pentagon Reserva-
2 tion.”.

3 **SEC. 2882. REPORT ON APPLICATION OF FORCE PROTEC-**
4 **TION AND ANTI-TERRORISM STANDARDS TO**
5 **LEASED FACILITIES.**

6 (a) REPORT REQUIRED.—Not later than May 1,
7 2006, the Secretary of Defense shall submit to the con-
8 gressional defense committees a report on the application
9 of Department of Defense Anti-Terrorism/Force Protec-
10 tion standards to all facilities leased by the Department
11 of Defense or leased by the General Services Administra-
12 tion as an agent for the Department of Defense as of Sep-
13 tember 30, 2005.

14 (b) INFORMATION ON LEASED FACILITIES.—For
15 each facility identified in the report submitted under sub-
16 section (a), the Secretary shall include the following:

17 (1) A description of the function of the leased
18 facility, including the location, size, terms of lease,
19 and the number of personnel housed within the facil-
20 ity.

21 (2) A description of the threat assessment and
22 the joint security integrated vulnerability assessment
23 for each leased facility.

1 (3) A description and cost estimate of any ac-
2 tions necessary to mitigate risk to an acceptable
3 level in each leased facility.

4 (4) A description and cost estimate of the ac-
5 tions to be taken by the Secretary of Defense for
6 each leased facility to ensure compliance with De-
7 partment of Defense Anti-Terrorism/Force Protec-
8 tion standards.

9 (5) The total estimated cost of, and a proposed
10 funding plan for, implementation of the force protec-
11 tion and anti-terrorism measures required to ensure
12 the compliance of all leased facilities with Defense
13 Anti-Terrorism/Force Protection standards.

14 (c) INFORMATION ON SUPPORT PRIORITIES.—The
15 report submitted under subsection (a) shall also include
16 a separate description of the procedures used by the Sec-
17 retary of Defense to prioritize funding for the application
18 of force protection and antiterrorism standards to leased
19 facilities, including a description of any such procedures
20 applicable to the entire Department of Defense.

21 (d) APPLICABILITY.—The reporting requirements
22 under this section apply to any space or facility that
23 houses 11 or more personnel in service to, or employed
24 by, the Department of Defense.

1 **SEC. 2883. CONSTRUCTION AT FORT BUCHANAN, PUERTO**
 2 **RICO, FOR RESERVE COMPONENTS.**

3 Section 1507(b)(2) of the Floyd D. Spence National
 4 Defense Authorization Act for Fiscal Year 2001 (Public
 5 Law 106–398, 114 Stat. 1654A–355) is amended to read
 6 as follows:

7 “(2) The construction, conversion, rehabilita-
 8 tion, extension, and improvement of reserve compo-
 9 nent and nonappropriated fund facilities.”.

10 **SEC. 2884. AUTHORITY TO USE PAPAGO PARK MILITARY**
 11 **RESERVATION, ARIZONA, FOR GENERAL MILI-**
 12 **TARY PURPOSES.**

13 Section 1 of the Act of April 7, 1930 (46 Stat. 142,
 14 chapter 107), is amended by striking “reserved for mili-
 15 tary purposes for use of the National Guard of Arizona
 16 as a rifle range” and inserting “reserved for military pur-
 17 poses for use by the State of Arizona as a military installa-
 18 tion known as Papago Park Military Reservation”.

19 **SEC. 2885. ONE-YEAR EXTENSION OF DEPARTMENT OF DE-**
 20 **FENSE LABORATORY REVITALIZATION PRO-**
 21 **GRAM.**

22 Section 2892(g) of the National Defense Authoriza-
 23 tion Act for Fiscal Year 1996 (Public Law 104–106; 10
 24 U.S.C. 2805 note), as amended by section 2891 of the
 25 Ronald W. Reagan National Defense Authorization Act
 26 for Fiscal Year 2005 (Public Law 108–375; 118 Stat.

1 2154), is further amended by striking “September 30,
2 2005” and inserting “September 30, 2006”.

3 **SEC. 2886. SENSE OF CONGRESS ON ESTABLISHMENT OF**
4 **BAKERS CREEK MEMORIAL.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

7 (1) In 1943 and 1944, the United States
8 Armed Forces operated a rest and relaxation facility
9 in Mackay, Queensland, Australia, for troops serving
10 in the Pacific Theater during World War II.

11 (2) On June 14, 1943, a Boeing B–17C was
12 transporting 6 crew members and 35 servicemen
13 from Mackay to Port Moresby, New Guinea, to re-
14 turn the servicemen to duty after 10 days of rest
15 and relaxation leave at an Army/Red Cross facility.

16 (3) The aircraft crashed shortly after take-off
17 at Bakers Creek, Australia, killing all 6 crew mem-
18 bers and 34 of the 35 servicemen being transported
19 in what was at that point the worst crash in Amer-
20 ican air transport history, and what remains the
21 worst air disaster in Australian history.

22 (4) Due to wartime censorship rules related to
23 the movement of troops, the tragic crash and loss of
24 life were not reported to the Australian or United
25 States public.

1 (5) Many family members of those killed did
2 not learn the circumstances of the troops deaths
3 until they were contacted by the Bakers Creek Me-
4 morial Foundation beginning in 1992.

5 (6) As of May 2005, the Bakers Creek Memo-
6 rial Foundation had contacted 36 of the 40 families
7 that lost loved ones in the tragic crash, and was con-
8 tinuing efforts to locate the remaining four families
9 to inform them of the true events of the crash at
10 Bakers Creek.

11 (7) The Australian people marked the tragic
12 crash at Bakers Creek with a memorial established
13 in 1992, but no similar memorial has been estab-
14 lished in the United States.

15 (b) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that the Secretary of the Army may establish an
17 appropriate marker, at a site to be chosen at the discretion
18 of the Secretary, to commemorate the 40 members of the
19 United States Armed Forces who lost their lives in the
20 air crash at Bakers Creek, Australia, on June 14, 1943.

21 **SEC. 2887. REPORT ON USE OF GROUND SOURCE HEAT**
22 **PUMPS AT DEPARTMENT OF DEFENSE FA-**
23 **CILITIES.**

24 (a) REPORT REQUIRED.—Not later than 180 days
25 after the date of the enactment of this Act, the Secretary

1 of Defense shall submit to the congressional defense com-
2 mittees a report on the use of ground source heat pumps
3 at Department of Defense facilities.

4 (b) CONTENT.—The report required under subsection
5 (a) shall include—

6 (1) a description of the types of Department of
7 Defense facilities that use ground source heat
8 pumps;

9 (2) an assessment of the applicability and cost-
10 effectiveness of the use of ground source heat pumps
11 at Department of Defense facilities in different geo-
12 graphic regions of the United States;

13 (3) a description of the relative applicability of
14 ground source heat pumps for purposes of new con-
15 struction at, and retrofitting of, Department of De-
16 fense facilities; and

17 (4) recommendations for facilitating and en-
18 couraging the increased use of ground source heat
19 pumps at Department of Defense facilities.

1 **SEC. 2888. TREATMENT OF INDIAN TRIBAL GOVERNMENTS**
2 **AS PUBLIC ENTITIES FOR PURPOSES OF DIS-**
3 **POSAL OF REAL PROPERTY RECOMMENDED**
4 **FOR CLOSURE IN JULY 2003 BRAC COMMIS-**
5 **SION REPORT.**

6 Section 8013 of the Department of Defense Appro-
7 priations Act, 1994 (Public Law 103–139; 107 Stat.
8 1440) is amended by striking “the report to the President
9 from the Defense Base Closure and Realignment Commis-
10 sion, July 1991” and inserting “the reports to the Presi-
11 dent from the Defense Base Closure and Realignment
12 Commission, July 1991 and July 1993”.

13 **SEC. 2889. SENSE OF THE SENATE REGARDING COMMUNITY**
14 **IMPACT ASSISTANCE RELATED TO CON-**
15 **STRUCTION OF NAVY LANDING FIELD,**
16 **NORTH CAROLINA.**

17 It is the sense of the Senate that—

18 (1) the planned construction of an outlying
19 landing field in North Carolina is vital to the na-
20 tional security interests of the United States; and

21 (2) the Department of Defense should work
22 with other Federal agencies to provide community
23 impact assistance to those communities directly im-
24 pacted by the location of the outlying landing field,
25 including, where appropriate—

26 (A) economic development assistance;

- 1 (B) impact aid program assistance;
- 2 (C) the provision by cooperative agreement
3 with the Navy of fire, rescue, water, and sewer
4 services;
- 5 (D) access by leasing arrangement to ap-
6 propriate land for farming for farmers impacted
7 by the location of the landing field;
- 8 (E) direct relocation assistance; and
- 9 (F) fair compensation to landowners for
10 property purchased by the Navy.

11 **SEC. 2890. DESIGNATION OF WILLIAM B. BRYANT ANNEX.**

12 (a) DESIGNATION.—The annex to the E. Barrett
13 Prettyman Federal Building and United States Court-
14 house located at 333 Constitution Avenue Northwest in
15 the District of Columbia shall be known and designated
16 as the “William B. Bryant Annex”.

17 (b) REFERENCES.—Any reference in a law, map, reg-
18 ulation, document, paper, or other record of the United
19 States to the annex referred to in subsection (a) shall be
20 deemed to be a reference to the “William B. Bryant
21 Annex”.

1 **SEC. 2891. REQUIRED CONSULTATION WITH STATE AND**
2 **LOCAL ENTITIES ON TRANSPORTATION,**
3 **HOUSING, AND OTHER INFRASTRUCTURE**
4 **ISSUES RELATED TO THE ADDITION OF PER-**
5 **SONNEL OR FACILITIES AT MILITARY INSTAL-**
6 **LATIONS AS PART OF 2005 ROUND OF DE-**
7 **FENSE BASE CLOSURE AND REALIGNMENT.**

8 Section 2905(a) of the Defense Base Closure and Re-
9 alignment Act of 1990 (part A of title XXIX of Public
10 Law 101–510; 10 U.S.C. 2687 note) is amended by add-
11 ing at the end the following new paragraph:

12 “(3) In carrying out any closure or realignment under
13 this part that would add personnel or facilities to an exist-
14 ing military installation, the Secretary shall consult with
15 appropriate State and local entities on matters affecting
16 the local community related to transportation, utility in-
17 frastructure, housing, schools, and family support activi-
18 ties during the development of plans to implement such
19 closure or realignment.”.

20 **SEC. 2892. SENSE OF THE SENATE ON REVERSIONARY IN-**
21 **TERESTS AT NAVY HOMEPORTS.**

22 It is the sense of the Senate that, in implementing
23 the decisions made with respect to Navy homeports as part
24 of the 2005 round of defense base closure and realign-
25 ment, the Secretary of the Navy should, consistent with
26 the national interest and Federal policy supporting cost-

1 free conveyances of Federal surplus property suitable for
2 use as port facilities, release or otherwise relinquish any
3 entitlement to receive, pursuant to any agreement pro-
4 viding for such payment, compensation from any holder
5 of a reversionary interest in real property used by the
6 United States for improvements made to any military in-
7 stallation that is closed or realigned as part of such base
8 closure round.

9 **SEC. 2893. IDENTIFICATION OF ENVIRONMENTAL CONDI-**
10 **TIONS AT MILITARY INSTALLATIONS CLOSED**
11 **OR REALIGNED UNDER 2005 ROUND OF DE-**
12 **FENSE BASE CLOSURE AND REALIGNMENT.**

13 (a) IDENTIFICATION OF ENVIRONMENTAL CONDI-
14 TION OF PROPERTY.—

15 (1) IN GENERAL.—Not later than May 31,
16 2007, the Secretary of Defense, in consultation with
17 the Administrator of the Environmental Protection
18 Agency, other appropriate Federal agencies, and
19 State, tribal, and local government officials, shall
20 complete an identification of the environmental con-
21 dition of the real property (including groundwater)
22 of each military installation approved for closure or
23 realignment under the 2005 round of defense base
24 closure and realignment in accordance with section
25 120(h)(4) of the Comprehensive Environmental Re-

1 sponse, Compensation, and Liability Act of 1980 (42
2 U.S.C. 9620(h)(4)).

3 (2) RESULTS.—

4 (A) IN GENERAL.—As soon as practicable
5 after the date on which an identification under
6 paragraph (1) is completed, the Secretary of
7 Defense shall—

8 (i) provide a notice of the results of
9 the identification to—

10 (I) the Administrator of the En-
11 vironmental Protection Agency;

12 (II) the head of any other appro-
13 priate Federal agency, as determined
14 by the Secretary; and

15 (III) any affected State or tribal
16 government official, as determined by
17 the Secretary; and

18 (ii) publish in the Federal Register
19 the results of the identification.

20 (B) REQUEST FOR CONCURRENCE.—The
21 Secretary shall include in a notice provided
22 under subclause (I) or (III) of subparagraph
23 (A)(i) a request for concurrence with the identi-
24 fication in such form as the Secretary deter-
25 mines to be appropriate.

1 (3) CONCURRENCE.—

2 (A) IN GENERAL.—An identification under
3 paragraph (1) shall not be considered to be
4 complete until—

5 (i) for a property that is a site, or
6 part of a site, on the National Priorities
7 List developed by the President in accord-
8 ance with section 105(a)(8)(B) of the
9 Comprehensive Environmental Response,
10 Compensation, and Liability Act of 1980
11 (42 U.S.C. 9605(a)(8)(B)), the date on
12 which the Administrator of the Environ-
13 mental Protection Agency and each appro-
14 priate State and tribal government official
15 concur with the identification; and

16 (ii) for any property that is not a site
17 described in clause (i), the date on which
18 each appropriate State and tribal govern-
19 ment official concurs with the identifica-
20 tion.

21 (B) FAILURE TO ACT.—The Adminis-
22 trator, or a State or tribal government official,
23 shall be considered to concur with an identifica-
24 tion under paragraph (1) if the Administrator
25 or government official fails to make a deter-

1 mination with respect to a request for concur-
2 rence with such identification under paragraph
3 (2)(B) by not later than 90 days after the date
4 on which such request for concurrence is re-
5 ceived.

6 (b) **EXPEDITING ENVIRONMENTAL RESPONSE.**—The
7 Secretary of Defense shall coordinate with appropriate
8 Federal, State, tribal, and local governmental officials, as
9 determined by the Secretary, to expedite environmental re-
10 sponse at military installations approved for closure or re-
11 alignment under the 2005 round of defense base closure
12 and realignment.

13 (c) **REPORT.**—The Secretary shall submit to Con-
14 gress, as part of each annual report under section 2706
15 of title 10, United States Code, a report describing any
16 progress made in carrying out this section.

17 (d) **EFFECT OF SECTION.**—Nothing in this section
18 affects any obligation of the Secretary with respect to any
19 other Federal or State requirement relating to—

20 (1) the environment; or

21 (2) the transfer of property.

1 **SEC. 2894. SENSE OF CONGRESS ON LIMITATION ON TRANS-**
2 **FER OF UNITS FROM CLOSED AND RE-**
3 **ALIGNED MILITARY INSTALLATIONS PEND-**
4 **ING READINESS OF RECEIVING LOCATIONS.**

5 (a) FINDINGS.—

6 (1) The Commission on Review of Overseas
7 Military Facility Structure of the United States, also
8 known as the Overseas Basing Commission, trans-
9 mitted a report to the President and Congress on
10 August 15, 2005, that discussed considerations for
11 the return to the United States of up to 70,000
12 service personnel and 100,000 family members and
13 civilian employees from overseas garrisons.

14 (2) The 2005 Base Closure and Realignment
15 Commission released a report on September 8, 2005,
16 to the President that assessed the closure and re-
17 alignment decisions of the Department of Defense,
18 which would affect 26,830 military personnel posi-
19 tions.

20 (3) Both of these reports expressed concerns
21 that massive movements of units, service personnel,
22 and families may disrupt unit operational effective-
23 ness and the quality of life for family members if not
24 carried out with adequate planning and resources.

25 (4) The 2005 Base Closure and Realignment
26 Commission, in its decision to close Fort Monmouth,

1 included a provision requiring the Secretary of De-
2 fense to provide a report that “movement of organi-
3 zations, functions, or activities from Fort Monmouth
4 to Aberdeen Proving Ground will be accomplished
5 without disruption of their support to the Global
6 War on Terrorism or other critical contingency oper-
7 ations, and that safeguards exist to ensure that nec-
8 essary redundant capabilities are put in place to
9 mitigate potential degradation of such support, and
10 to ensure maximum retention of critical workforce”.

11 (5) The Overseas Basing Commission found
12 that “base closings at home along with the return of
13 yet additional masses of service members and de-
14 pendents from overseas will have major impact on
15 local communities and the quality of life that can be
16 expected. Movements abroad from established bases
17 into new locations, or into locations already in use
18 that will be put under pressure by increases in popu-
19 lations, will impact on living conditions.”

20 (6) The Overseas Basing Commission notes
21 that the four most critical elements of quality of life
22 as they relate to restructuring of the global defense
23 posture are housing, military child education,
24 healthcare, and service member and family services.

1 (7) The Overseas Basing Commission rec-
2 ommended that “planners must take a ‘last day-first
3 day’ approach to the movement of units and families
4 from one location to another”, meaning that they
5 must maintain the support infrastructure for per-
6 sonnel until the last day they are in place and must
7 have the support infrastructure in place on the first
8 day troops arrive in the new location.

9 (8) The Overseas Basing Commission further
10 recommended that it is “imperative that the ‘last
11 day-first day’ approach should be taken whether the
12 movement is abroad from one locale to another, from
13 overseas to the United States, or from one base in
14 CONUS [the continental United States] to yet an-
15 other as a result of base realignment and closures”.

16 (b) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that the Secretary of Defense should not transfer
18 any unit from a military installation closed or realigned
19 due to the relocation of forces under the Integrated Global
20 Presence and Basing Strategy or the 2005 round of de-
21 fense base closure and realignment until adequate facili-
22 ties and infrastructure necessary to support the unit’s

- 1 mission and quality of life requirements for military fami-
- 2 lies are ready for use at the receiving location.

Passed the Senate November 15, 2005.

Attest:

Secretary.

109TH CONGRESS
1ST SESSION

S. 1044

AN ACT

To authorize appropriations for fiscal year 2006 for military construction, and for other purposes.