

109TH CONGRESS
2^D SESSION

S. 2768

AN ACT

To authorize appropriations for fiscal year 2007 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 2007”.

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.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

TITLE XXI—ARMY

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

TITLE XXII—NAVY

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
- Sec. 2203. Improvements to military family housing units.
- Sec. 2204. Authorization of appropriations, Navy.
- Sec. 2205. Modification of authority to carry out certain fiscal year 2006 projects.

TITLE XXIII—AIR FORCE

- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
- Sec. 2303. Improvements to military family housing units.
- Sec. 2304. Authorization of appropriations, Air Force.
- Sec. 2305. Modification of authority to carry out certain fiscal year 2006 project.

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- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
- Sec. 2402. Family housing.
- Sec. 2403. Energy conservation projects.
- Sec. 2404. Authorization of appropriations, Defense Agencies.
- Sec. 2405. Modification of authority to carry out certain fiscal year 2006 projects.

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- Sec. 2501. Authorized NATO construction and land acquisition projects.
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- Sec. 2601. Authorized Guard and Reserve construction and land acquisition projects.

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- Sec. 2802. Authority to carry out military construction projects in connection with industrial facility investment program.
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- Sec. 2805. Increase in thresholds for unspecified minor military construction projects.
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- Sec. 2810. Pilot projects for acquisition or construction of military unaccompanied housing.
- Sec. 2811. Certification required for certain military construction projects.
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- Sec. 2813. Naming of research laboratory at Air Force Rome Research Site, Rome, New York, in honor of Sherwood L. Boehlert, a member of the House of Representatives.
- Sec. 2814. Naming of administration building at Joint Systems Manufacturing Center in Lima, Ohio, after Michael G. Oxley, a member of the House of Representatives.
- Sec. 2815. Naming of military family housing facility at Fort Carson, Colorado, in honor of Joel Hefley, a member of the House of Representatives.
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1 **SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.**

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	\$72,300,000
	Fort Wainwright	\$8,800,000
California	Fort Irwin	\$10,000,000
Colorado	Fort Carson	\$24,000,000
Georgia	Fort Gillem	\$15,000,000
	Fort Stewart/Hunter Army Air Field.	\$95,300,000
Hawaii	Schofield Barracks	\$54,500,000
Kansas	Fort Leavenworth	\$15,000,000
	Fort Riley	\$47,400,000
Kentucky	Blue Grass Army Depot	\$3,500,000
	Fort Campbell	\$127,200,000
Louisiana	Fort Polk	\$9,800,000
Maryland	Aberdeen Proving Ground	\$8,800,000
Michigan	Detroit Arsenal	\$18,500,000
Missouri	Fort Leonard Wood	\$23,900,000
New York	Fort Drum	\$209,200,000
North Carolina	Fort Bragg	\$96,900,000
	Sunny Point (Military Ocean Ter- minal).	\$46,000,000
Oklahoma	McAlester Army Ammunition Plant.	\$3,050,000
Pennsylvania	Letterkenny Depot	\$7,500,000
Texas	Fort Hood	\$75,000,000
	Red River Depot	\$6,000,000
Utah	Dugway Proving Ground	\$14,400,000
Virginia	Fort Belvoir	\$58,000,000

Army: Inside the United States—Continued

State	Installation or Location	Amount
Washington	Fort Lewis	\$502,600,000

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	\$157,632,000
	Vilseck	\$19,000,000
Italy	Vicenza	\$223,000,000
Japan	Camp Hansen	\$7,150,000
Korea	Camp Humphreys	\$77,000,000
	Yongpyong	\$7,400,000
Romania	Babadag Range	\$34,800,000

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	162 Units	\$70,000,000
	Fort Wainwright	234 Units	\$132,000,000
Arizona	Fort Huachuca	119 Units	\$32,000,000

Army: Family Housing—Continued

State	Installation or Location	Purpose	Amount
Arkansas	Pine Bluff Arsenal	10 Units	\$2,900,000
Wisconsin	Fort McCoy	13 Units	\$4,900,000

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 \$16,332,000.

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 \$336,859,000.

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, 2006, for military con-
20 struction, land acquisition, and military family housing
21 functions of the Department of the Army in the total
22 amount of \$3,452,581,000 as follows:

1 (1) For military construction projects inside the
2 United States authorized by section 2101(a),
3 \$1,266,650,000.

4 (2) For military construction projects outside
5 the United States authorized by section 2101(b),
6 \$525,982,000.

7 (3) For unspecified minor military construction
8 projects authorized by section 2805 of title 10,
9 United States Code, \$23,000,000.

10 (4) For architectural and engineering services
11 and construction design under section 2807 of title
12 10, United States Code, \$217,629,000.

13 (5) For military family housing functions:

14 (A) For construction and acquisition, plan-
15 ning and design, and improvement of military
16 family housing and facilities, \$594,991,000.

17 (B) For support of military family housing
18 (including the functions described in section
19 2833 of title 10, United States Code),
20 \$676,829,000.

21 (6) For the construction of increment 2 of a
22 barracks complex at Fort Drum, New York, author-
23 ized by section 2101(a) of the Military Construction
24 Authorization Act for fiscal year 2006 (division B of
25 Public Law 109–163; 119 Stat. 3485), \$16,500,000.

1 (7) For the construction of increment 2 of a
2 barracks complex for divisional artillery at Fort
3 Bragg, North Carolina, authorized by section
4 2101(a) of the Military Construction Authorization
5 Act for fiscal year 2006 (division B of Public Law
6 109–163; 119 Stat. 3485), \$37,000,000.

7 (8) For the construction of increment 2 of a
8 barracks complex for the 3rd Brigade at Fort
9 Bragg, North Carolina, authorized by section
10 2101(a) of the Military Construction Authorization
11 Act for Fiscal Year 2006 (division B of Public Law
12 109–163; 119 Stat. 3485), \$50,000,000.

13 (9) For the construction of increment 2 of a
14 barracks complex for the 2nd Brigade at Fort
15 Bragg, North Carolina, authorized by section
16 2101(a) of the Military Construction Authorization
17 Act for Fiscal Year 2006 (division B of Public Law
18 109–163; 119 Stat. 3485), \$31,000,000.

19 (10) For the construction of phase 2 of the De-
20 fense Access Road at Fort Belvoir, Virginia, author-
21 ized by section 2101(a) of the Military Construction
22 Authorization Act for Fiscal Year 2006 (division B
23 of Public Law 109–163; 119 Stat. 3486),
24 \$13,000,000.

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

7 (1) The total amount authorized to be appro-
 8 priated under paragraphs (1) and (2) of subsection
 9 (a).

10 (2) \$306,000,000 (the balance of the amount
 11 authorized under section 2101(a) for construction of
 12 a brigade complex for Fort Lewis, Washington).

13 (3) \$40,400,000 (the balance of the amount au-
 14 thorized under section 2101(a) of the Military Con-
 15 struction Authorization Act for Fiscal Year 2005
 16 (division B of Public Law 108–375; 118 Stat. 2101)
 17 for construction of a barracks complex for divisional
 18 artillery for Fort Bragg, North Carolina).

19 **TITLE XXII—NAVY**

20 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND** 21 **ACQUISITION PROJECTS.**

22 (a) INSIDE THE UNITED STATES.—Using amounts
 23 appropriated pursuant to the authorization of appropria-
 24 tions in section 2204(a)(1), the Secretary of the Navy may
 25 acquire real property and carry out military construction

1 projects for the installations or locations inside the United
 2 States, and in the amounts, set forth in the following
 3 table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Marine Corps Air Station, Yuma	\$5,966,000
California	Marine Corps Air Station, Camp Pendleton.	\$6,412,000
	Marine Corps Base, Camp Pendleton	\$106,142,000
	Marine Corps Air Station, Miramar	\$2,968,000
	Naval Air Station, North Island	\$21,535,000
	Marine Corps Base, Twentynine Palms	\$8,217,000
Connecticut	Naval Submarine Base, New London	\$9,580,000
Florida	Cape Canaveral	\$9,900,000
	Naval Station, Pensacola	\$13,486,000
Georgia	Marine Corps Logistics Base, Albany	\$62,000,000
	Navy Submarine Base, Kings Bay	\$20,282,000
Hawaii	Naval Base, Pearl Harbor	\$48,338,000
	Naval Shipyard, Pearl Harbor	\$22,000,000
Indiana	Naval Support Activity, Crane	\$6,730,000
Maine	Portsmouth Naval Shipyard	\$9,650,000
Maryland	Naval Air Station, Patuxent River	\$16,316,000
	Naval Support Activity, Suitland	\$67,939,000
Mississippi	Naval Air Station, Meridian	\$5,870,000
Nevada	Naval Air Station, Fallon	\$7,730,000
North Carolina	Marine Corps Air Station, New River	\$27,300,000
	Marine Corps Base, Camp Lejeune	\$160,904,000
Rhode Island	Naval Station, Newport	\$3,410,000
South Carolina	Marine Corps Air Station, Beaufort	\$14,970,000
Virginia	Marine Corps Base, Quantico	\$30,628,000
	Naval Special Weapons Center, Dahlgren.	\$9,850,000
	Naval Shipyard, Norfolk	\$34,952,000
	Naval Station, Norfolk	\$12,062,000
	Naval Support Activity, Norfolk	\$38,962,000
Washington	Naval Air Station, Whidbey Island	\$67,303,000
	Naval Submarine Base, Bangor	\$13,507,000

4 (b) OUTSIDE THE UNITED STATES.—Using
 5 amounts appropriated pursuant to the authorization of ap-
 6 propriations in section 2204(a)(2), the Secretary of the
 7 Navy may acquire real property and carry out military
 8 construction projects for the installation or location out-
 9 side the United States, and in the amounts, set forth in
 10 the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Diego Garcia	Diego Garcia	\$37,473,000
Italy	Naval Air Station, Sigonella	\$13,051,000

1 (c) UNSPECIFIED WORLDWIDE.—Using the amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2204(a)(3), the Secretary of the Navy may
4 acquire real property and carry out military construction
5 projects for unspecified installations or locations in the
6 amount set forth in the following table:

Navy: Unspecified Worldwide

Location	Installation or Location	Amount
Various Locations	Helicopter Support Facility	\$12,185,000

7 **SEC. 2202. FAMILY HOUSING.**

8 (a) CONSTRUCTION AND ACQUISITION.—Using
9 amounts appropriated pursuant to the authorization of ap-
10 propriations in section 2204(a)(6)(A), the Secretary of the
11 Navy may construct or acquire family housing units (in-
12 cluding land acquisition and supporting facilities) at the
13 installations or locations, for the purposes, and in the
14 amount set forth in the following table:

Navy: Family Housing

State	Installation or Location	Purpose	Amount
California	Marine Corps Logistics Base, Barstow	74 Units	\$27,851,000
Guam	Naval Base, Guam	176 Units	\$98,174,000

15 (b) PLANNING AND DESIGN.—Using amounts appro-
16 priated pursuant to the authorization of appropriations in

1 section 2204(a)(6)(A), the Secretary of the Navy may
2 carry out architectural and engineering services and con-
3 struction design activities with respect to the construction
4 or improvement of family housing units in an amount not
5 to exceed \$2,600,000.

6 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
7 **UNITS.**

8 Subject to section 2825 of title 10, United States
9 Code, and using amounts appropriated pursuant to the
10 authorization of appropriations in section 2204(a)(6)(A),
11 the Secretary of the Navy may improve existing military
12 family housing units in an amount not to exceed
13 \$176,446,000.

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

15 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
16 are hereby authorized to be appropriated for fiscal years
17 beginning after September 30, 2006, for military con-
18 struction, land acquisition, and military family housing
19 functions of the Department of the Navy in the total
20 amount of \$2,072,435,000, as follows:

21 (1) For military construction projects inside the
22 United States authorized by section 2201(a),
23 \$808,750,000.

1 (2) For military construction projects outside
2 the United States authorized by section 2201(b),
3 \$50,524,000.

4 (3) For military construction projects at un-
5 specified worldwide locations authorized by section
6 2201(c), \$12,185,000.

7 (4) For unspecified minor military construction
8 projects authorized by section 2805 of title 10,
9 United States Code, \$8,939,000.

10 (5) For architectural and engineering services
11 and construction design under section 2807 of title
12 10, United States Code, \$71,247,000.

13 (6) For military family housing functions:

14 (A) For construction and acquisition, plan-
15 ning and design, and improvement of military
16 family housing and facilities, \$305,071,000.

17 (B) For support of military family housing
18 (including functions described in section 2833
19 of title 10, United States Code), \$498,525,000.

20 (7) For the construction of increment 2 of a
21 helicopter hangar replacement at Naval Air Station,
22 Jacksonville, Florida, authorized by section 2201(a)
23 of the Military Construction Authorization Act for
24 Fiscal Year 2006 (division B of Public Law 109–
25 163; 119 Stat. 3489), \$43,250,000.

1 (8) For the construction of increment 2 of
2 Alpha and Bravo wharf improvements at Naval
3 Base, Guam, Marianas Islands, authorized by sec-
4 tion 2201(b) of the Military Construction Authoriza-
5 tion Act for Fiscal Year 2006 (division B of Public
6 Law 109–163; 119 Stat. 3490), \$29,772,000.

7 (9) For the construction of increment 2 of re-
8 cruit training barracks infrastructure upgrade at
9 Recruit Training Command, Great Lakes, Illinois,
10 authorized by section 2201(a) of the Military Con-
11 struction Authorization Act for Fiscal Year 2006
12 (division B of Public Law 109–163; 119 Stat.
13 3490), \$23,589,000.

14 (10) For the construction of increment 2 of the
15 Wesley Brown Field House at the United States
16 Naval Academy, Annapolis, Maryland, authorized by
17 section 2201(a) of the Military Construction Author-
18 ization Act for Fiscal Year 2006 (division B of Pub-
19 lic Law 109–163; 119 Stat. 3490), \$26,685,000.

20 (11) For the construction of increment 2 of
21 wharf upgrades at Naval Station, Yokosuka, Japan,
22 authorized by section 2201(b) of the Military Con-
23 struction Authorization Act for Fiscal Year 2006
24 (division B of Public Law 109–163; 119 Stat.
25 3490), \$44,360,000.

1 (12) For the construction of increment 2 of the
2 ship repair pier 3 replacement at Naval Station,
3 Norfolk, Virginia, authorized by section 2201(a) of
4 the Military Construction Authorization Act for Fis-
5 cal Year 2006 (division B of Public Law 109–163;
6 119 Stat. 3490), \$30,939,000.

7 (13) For the construction of increment 2 of the
8 Bachelor Enlisted Quarters Homeport Ashore Pro-
9 gram at Naval Station, Everett, Washington, au-
10 thORIZED by section 2201(a) of the Military Construc-
11 tion Authorization Act for Fiscal Year 2006 (divi-
12 sion B of Public Law 109–163; 119 Stat.3490),
13 \$20,917,000.

14 (14) For the construction of phase 2 of the rec-
15 lamation and conveyance project at Marine Corps
16 Base, Camp Pendleton, California, authorized by
17 section 2201(a) of the Military Construction Author-
18 ization Act for Fiscal Year 2006 (division B of Pub-
19 lic Law 109–163; 119 Stat. 3489), \$33,290,000.

20 (15) For the construction of increment 3 of the
21 Navy Outlying Landing Field facilities at Wash-
22 ington County, North Carolina, authorized for var-
23 ious locations, continental United States, by section
24 2201(a) of the Military Construction Authorization

1 Act for Fiscal Year 2004 (division B of Public Law
2 108–136; 117 Stat. 1704), \$7,926,000.

3 (16) For the construction of increment 3 of the
4 limited area production and storage complex at Stra-
5 tegic Weapons Facility Pacific, Bangor, Washington,
6 authorized by section 2201(a) of the Military Con-
7 struction Authorization Act for Fiscal Year 2005
8 (division B of Public Law 108–375; 118 Stat.
9 2106), \$14,274,000.

10 (17) For the construction of increment 4 of pier
11 11 replacement at Naval Station, Norfolk, Virginia,
12 authorized by section 2201(a) of the Military Con-
13 struction Authorization Act for Fiscal Year 2004
14 (division B of Public Law 108–136; 117 Stat.
15 1704), \$30,633,000.

16 (18) For the construction of increment 2 of an
17 addition to Hockmuth Hall at Marine Corps Base,
18 Quantico, Virginia, authorized by section 2201(a) of
19 the Military Construction Authorization Act for Fis-
20 cal Year 2006 (division B of Public Law 109–163;
21 119 Stat. 3490), \$11,559,000.

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

1 of all projects carried out under section 2201 of this Act
2 may not exceed the sum of the following:

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

6 (2) \$39,874,000 (the balance of the amount au-
7 thorized under section 2201(a) of the Military Con-
8 struction Authorization Act for Fiscal Year 2004
9 (division B of Public Law 108–136; 117 Stat. 1704)
10 for various locations, continental United States).

11 (3) \$33,951,000 (the balance of the amount au-
12 thorized under section 2201(a) of the Military Con-
13 struction Authorization Act for Fiscal Year 2005
14 (division B of Public Law 108–375; 118 Stat. 2106)
15 for construction of a limited area production and
16 storage complex at Strategic Weapons Facility Pa-
17 cific, Bangor, Washington).

18 (4) \$22,661,000 (the balance of the amount au-
19 thorized under section 2201(a) of the Military Con-
20 struction Authorization Act for Fiscal Year 2006
21 (division B of Public Law 109–163; 119 Stat. 3490)
22 for infrastructure upgrades at Recruit Training
23 Command, Great Lakes, Illinois).

24 (5) \$24,740,000 (the balance of the amount au-
25 thorized under section 2201(b) of the Military Con-

1 construction Authorization Act for Fiscal Year 2006
2 (division B of Public Law 109–163; 119 Stat. 3490)
3 for wharf upgrades at Naval Station, Yokosuka,
4 Japan.

5 (6) \$56,159,000 (the balance of the amount au-
6 thorized under section 2201(a) for construction of a
7 National Maritime Intelligence Center addition at
8 Suitland, Maryland).

9 **SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT**
10 **CERTAIN FISCAL YEAR 2006 PROJECTS.**

11 (a) MODIFICATION OF INSIDE THE UNITED STATES
12 PROJECTS.—The table in section 2201(a) of the Military
13 Construction Authorization Act for Fiscal Year 2006 (di-
14 vision B of Public Law 109–163; 119 Stat. 3489) is
15 amended—

16 (1) in the item related to Marine Corps Base,
17 Camp Pendleton, California, by striking
18 “\$90,437,000” in the amount column and inserting
19 “\$86,006,000”; and

20 (2) in the item relating to Marine Corps Base,
21 Quantico, Virginia, by striking “\$18,429,000” in the
22 amount column and inserting “\$19,829,000”.

23 (b) CONFORMING AMENDMENTS.—Section 2204(b)
24 of that Act (119 Stat. 3492) is amended—

1 (1) in paragraph (2), by striking
 2 “\$37,721,000” and inserting “\$33,290,000”; and
 3 (2) in paragraph (7), by striking
 4 “\$10,159,000” and inserting “\$11,559,000”.

5 **TITLE XXIII—AIR FORCE**

6 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 7 **LAND ACQUISITION PROJECTS.**

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

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Eielson Air Force Base	\$38,300,000
	Elmendorf Air Force Base	\$68,100,000
Arizona	Davis-Monthan Air Force Base	\$4,600,000
California	Beale Air Force Base	\$28,000,000
	Travis Air Force Base	\$85,800,000
Colorado	Buckley Air Force Base	\$10,700,000
	Schriever Air Force Base	\$21,000,000
Delaware	Dover Air Force Base	\$30,400,000
Florida	Eglin Air Force Base	\$19,350,000
	Hurlburt Field	\$32,950,000
	MacDill Air Force Base	\$71,000,000
	Tyndall Air Force Base	\$1,800,000
Georgia	Robins Air Force Base	\$52,600,000
Hawaii	Hickam Air Force Base	\$28,538,000
Illinois	Scott Air Force Base	\$28,200,000
Kentucky	Fort Knox	\$3,500,000
Maryland	Andrews Air Force Base	\$29,000,000
Massachusetts	Hanscom Air Force Base	\$12,400,000
Nevada	Indian Springs Air Force Auxiliary Field.	\$49,923,000
	Nellis Air Force Base	\$4,800,000
New Jersey	McGuire Air Force Base	\$15,500,000
New Mexico	Kirtland Air Force Base	\$11,400,000
North Dakota	Minot Air Force Base	\$9,000,000
Oklahoma	Altus Air Force Base	\$9,500,000
	Tinker Air Force Base	\$8,100,000

Air Force: Inside the United States—Continued

State	Installation or Location	Amount
South Carolina	Charleston Air Force Base	\$10,200,000
	Shaw Air Force Base	\$22,200,000
South Dakota	Ellsworth Air Force Base	\$3,000,000
Texas	Fort Bliss	\$8,500,000
	Lackland Air Force Base	\$13,200,000
Utah	Hill Air Force Base	\$63,400,000
Virginia	Langley Air Force Base	\$57,700,000
Wyoming	Francis E. Warren Air Force Base ..	\$11,000,000

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	\$53,150,000
Guam	Andersen Air Force Base	\$52,800,000
Italy	Naval Air Station, Sigonella	\$26,000,000
Korea	Kunsan Air Base	\$46,700,000
	Osan Air Base	\$2,156,000

8 (c) UNSPECIFIED WORLDWIDE.—Using the amounts
 9 appropriated pursuant to the authorization of appropria-
 10 tions in section 2304(a)(3), the Secretary of the Air Force
 11 may acquire real property and carry out military construc-
 12 tion projects for unspecified installations or locations in
 13 the amounts, set forth in the following table:

Air Force: Unspecified Worldwide

Location	Installation or Location	Amount
Worldwide Unspecified	Common Battlefield Airman Train- ing Complex.	\$14,200,000
Worldwide Classified	Classified Project	\$3,377,000

Air Force: Unspecified Worldwide—Continued

Location	Installation or Location	Amount
	Classified—Special Evaluation Program.	\$4,600,000
	Classified	\$1,700,000

1 **SEC. 2302. FAMILY HOUSING.**

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

Air Force: Family Housing

State	Installation or Location	Purpose	Amount
Alaska	Eielson Air Force Base	129 Units	\$87,414,000
Idaho	Mountain Home Air Force Base	457 Units	\$107,800,000
Missouri	Whiteman Air Force Base	116 Units	\$39,270,000
Montana	Malmstrom Air Force Base	493 Units	\$140,252,000
North Carolina	Seymour Johnson Air Force Base	56 Units	\$22,956,000
North Dakota	Minot Air Force Base	575 Units	\$170,188,000
Texas	Dyess Air Force Base	199 Units	\$49,215,000
Germany	Ramstein Air Base	101 Units	\$73,488,000
	Spangdahlem Air Base	60 Units	\$39,294,000
United Kingdom	Royal Air Force Lakenheath.	74 Units	\$35,282,000

9 (b) PLANNING AND DESIGN.—Using amounts appro-
10 priated pursuant to the authorization of appropriations in
11 section 2304(a)(6)(A), the Secretary of the Air Force may
12 carry out architectural and engineering services and con-
13 struction design activities with respect to the construction

1 or improvement of family housing units in an amount not
2 to exceed \$13,202,000.

3 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
4 **UNITS.**

5 Subject to section 2825 of title 10, United States
6 Code, and using amounts appropriated pursuant to the
7 authorization of appropriations in section 2304(a)(6)(A),
8 the Secretary of the Air Force may improve existing mili-
9 tary family housing units in an amount not to exceed
10 \$403,727,000.

11 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**
12 **FORCE.**

13 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
14 are hereby authorized to be appropriated for fiscal years
15 beginning after September 30, 2006, for military con-
16 struction, land acquisition, and military family housing
17 functions of the Department of the Air Force in the total
18 amount of \$3,195,485,000, as follows:

19 (1) For military construction projects inside the
20 United States authorized by section 2301(a),
21 \$863,661,000.

22 (2) For military construction projects outside
23 the United States authorized by section 2301(b),
24 \$180,806,000.

1 (3) For military construction projects at un-
2 specified worldwide locations authorized by section
3 2301(c), \$23,877,000.

4 (4) For unspecified minor military construction
5 projects authorized by section 2805 of title 10,
6 United States Code, \$15,000,000.

7 (5) For architectural and engineering services
8 and construction design under section 2807 of title
9 10, United States Code, \$90,632,000.

10 (6) For military family housing functions:

11 (A) For construction and acquisition, plan-
12 ning and design, and improvement of military
13 family housing and facilities, \$1,182,138,000.

14 (B) For support of military family housing
15 (including the functions described in section
16 2833 of title 10, United States Code),
17 \$755,071,000.

18 (7) For the construction of increment 2 of the
19 C-17 maintenance complex at Elmendorf Air Force
20 Base, Alaska, authorized by section 2301(a) of the
21 Military Construction Authorization Act for Fiscal
22 Year 2006 (division B of Public Law 109-163; 119
23 Stat. 3494), \$30,000,000.

24 (8) For the construction of increment 2 of the
25 main base runway at Edwards Air Force Base, Cali-

1 fornia, authorized by section 2301(a) of the Military
2 Construction Authorization Act for Fiscal Year 2006
3 (division B of Public Law 109–163; 119 Stat.
4 3494), \$31,000,000.

5 (9) For the construction of increment 2 of the
6 CENTCOM Joint Intelligence Center at MacDill Air
7 Force Base, Florida, authorized by section 2301(a)
8 of the Military Construction Authorization Act for
9 Fiscal Year 2006 (division B of Public Law 109–
10 163; 119 Stat. 3494), \$23,300,000.

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 2301 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) \$35,000,000 (the balance of the amount au-
21 thorized under section 2301(a) of the Military Con-
22 struction Authorization Act for Fiscal Year 2006
23 (division B of Public Law 109–163; 119 Stat. 3494)
24 for construction of a main base runway at Edwards
25 Air Force Base, California).

1 **SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT**
 2 **CERTAIN FISCAL YEAR 2006 PROJECT.**

3 (a) MODIFICATION OF INSIDE THE UNITED STATES
 4 PROJECT.—The table in section 2301(a) of the Military
 5 Construction Authorization Act for Fiscal Year 2006 (di-
 6 vision B of Public Law 109–163; Stat. 119 Stat. 3494)
 7 is amended in the item relating to MacDill Air Force
 8 Base, Florida, by striking “\$107,200,000” in the amount
 9 column and inserting “\$101,500,000”.

10 (b) CONFORMING AMENDMENT.—Section 2304(b)(4)
 11 of that Act (119 Stat. 3496) is amended by striking
 12 “\$29,000,000” and inserting “\$23,300,000”.

13 **TITLE XXIV—DEFENSE**
 14 **AGENCIES**

15 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
 16 **TION AND LAND ACQUISITION PROJECTS.**

17 (a) INSIDE THE UNITED STATES.—Using amounts
 18 appropriated pursuant to the authorization of appropria-
 19 tions in section 2404(a)(1), the Secretary of Defense may
 20 acquire real property and carry out military construction
 21 projects for the installations or locations inside the United
 22 States, and in the amounts, set forth in the following ta-
 23 bles:

Defense Education Activity

State	Installation or Location	Amount
Kentucky	Fort Knox	\$18,108,000

Defense Logistics Agency

State	Installation or Location	Amount
Arizona	Marine Corps Air Station, Yuma	\$8,715,000
California	Beale Air Force Base	\$9,000,000
Pennsylvania	Defense Distribution Depot, New Cumberland	\$8,900,000
Virginia	Fort Belvoir	\$5,500,000
Washington	Naval Air Station, Whidbey Island	\$26,000,000

Special Operations Command

State	Installation or Location	Amount
California	Marine Corps Base, Camp Pendleton	\$24,400,000
Colorado	Fort Carson	\$26,100,000
Florida	Hurlburt Field	\$14,482,000
	MacDill Air Force Base	\$27,300,000
Kentucky	Fort Campbell	\$24,500,000
North Carolina	Fort Bragg	\$44,868,000
	Marine Corps Base, Camp Lejeune	\$51,600,000
	Pope Air Force Base	\$15,276,000
Virginia	Naval Air Base, Little Creek	\$22,000,000

TRICARE Management Activity

State	Installation or Location	Amount
Alaska	Fort Richardson	\$37,200,000
California	Fort Irwin	\$6,050,000
Florida	Naval Hospital, Jacksonville	\$16,000,000
	MacDill Air Force Base	\$87,000,000
Hawaii	Naval Base, Pearl Harbor	\$7,700,000
Illinois	Naval Hospital, Great Lakes	\$20,000,000
Maryland	Fort Detrick	\$550,000,000
New York	Fort Drum	\$9,700,000
Texas	Fort Hood	\$18,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2404(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 tables:

Defense Education Activity

Country	Installation or Location	Amount
Italy	Camp Ederle	\$31,460,000
	Vicenza	\$15,750,000
Korea	Osan Air Base	\$4,589,000

Defense Education Activity—Continued

Country	Installation or Location	Amount
Spain	Naval Station, Rota	\$23,048,000

Defense Logistics Agency

Country	Installation or Location	Amount
Japan	Okinawa	\$5,000,000
Wake Island	Wake Island	\$2,600,000

Missile Defense Agency

Country	Installation or Location	Amount
Kwajalein	Kwajalein Atoll	\$7,592,000

Special Operations Command

Country	Installation or Location	Amount
Qatar	Al Udeid Air Base	\$44,500,000

TRICARE Management Activity

Country	Installation or Location	Amount
Italy	Vicenza	\$52,000,000

1 SEC. 2402. FAMILY HOUSING.

2 (a) CONSTRUCTION AND ACQUISITION.—Using
3 amounts appropriated pursuant to the authorization of ap-
4 propriations in section 2404(a)(9)(A), the Secretary of the
5 Defense may construct or acquire family housing units
6 (including land acquisition and supporting facilities) at the
7 installations or locations, for the purposes, and in the
8 amounts set forth in the following table:

Defense Logistics Agency: Family Housing

State	Installation or Location	Purpose	Amount
Virginia	Defense Supply Center, Richmond	25 Units	\$7,840,000

1 (b) PLANNING AND DESIGN.—Using amounts appro-
2 priated pursuant to the authorization of appropriations in
3 section 2404(a)(9)(A), the Secretary of the Defense 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 \$484,000.

8 **SEC. 2403. ENERGY CONSERVATION PROJECTS.**

9 Using amounts appropriated pursuant to the author-
10 ization of appropriations in section 2404(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.

14 **SEC. 2404. AUTHORIZATION OF APPROPRIATIONS, DE-**
15 **FENSE AGENCIES.**

16 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
17 are hereby authorized to be appropriated for fiscal years
18 beginning after September 30, 2006, for military con-
19 struction, land acquisition, and military family housing
20 functions of the Department of Defense (other than the
21 military departments) in the total amount of
22 \$7,122,602,000, as follows:

23 (1) For military construction projects inside the
24 United States authorized by section 2401(a),
25 \$557,399,000.

1 (2) For military construction projects outside
2 the United States authorized by section 2401(b),
3 \$170,789,000.

4 (3) For unspecified minor military construction
5 projects under section 2805 of title 10, United
6 States Code, \$21,672,000.

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

10 (5) For architectural and engineering services
11 and construction design under section 2807 of title
12 10, United States Code, \$172,150,000.

13 (6) For energy conservation projects authorized
14 by section 2403, \$60,000,000.

15 (7) For base closure and realignment activities
16 as authorized by the Defense Base Closure and Re-
17 alignment Act of 1990 (part A of title XXIX of
18 Public Law 101–510; 10 U.S.C. 2687 note) and
19 funded through the Department of Defense Base
20 Closure Account 1990 established by section 2906 of
21 such Act, \$191,220,000.

22 (8) For base closure and realignment activities
23 as authorized by the Defense Base Closure and Re-
24 alignment Act of 1990 (part A of title XXIX of
25 Public Law 101–510; 10 U.S.C. 2687 note) and

1 funded through the Department of Defense Base
2 Closure Account 2005 established by section 2906A
3 of such Act, \$5,526,894,000.

4 (9) For military family housing functions:

5 (A) For construction and acquisition, plan-
6 ning and design, and improvement of military
7 family housing and facilities, \$8,808,000.

8 (B) For support of military family housing
9 (including functions described in section 2833
10 of title 10, United States Code), \$48,506,000.

11 (C) For credit to the Department of De-
12 fense Family Housing Improvement Fund es-
13 tablished by section 2883(a)(1) of title 10,
14 United States Code, \$2,500,000.

15 (10) For the construction of increment 8 of a
16 munitions demilitarization facility at Pueblo Chem-
17 ical Activity, Colorado, authorized by section
18 2401(a) of the Military Construction Authorization
19 Act for Fiscal Year 1997 (division B of Public Law
20 104–201; 110 Stat. 2775), as amended by section
21 2406 of the Military Construction Authorization Act
22 for Fiscal Year 2000 (division B of Public Law 106–
23 65; 113 Stat. 839), and section 2407 of the Military
24 Construction Authorization Act for Fiscal Year 2003

1 (division B of Public Law 107–314; 116 Stat.
2 2698), \$41,836,000.

3 (11) For the construction of increment 7 of a
4 munitions demilitarization facility at Blue Grass
5 Army Depot, Kentucky, authorized by section
6 2401(a) of the Military Construction Authorization
7 Act for Fiscal Year 2000 (division B of Public Law
8 106–65; 113 Stat. 835), as amended by section
9 2405 of the Military Construction Authorization Act
10 of 2002 (division B of Public Law 107–107; 115
11 Stat. 1298), and section 2405 of the Military Con-
12 struction Authorization Act for Fiscal Year 2003
13 (division B of Public Law 107–314; 116 Stat.
14 2698), \$99,157,000.

15 (12) For the construction of increment 2 of a
16 replacement of a regional security operations center,
17 Kunia, Hawaii, authorized by section 2401(a) of the
18 Military Construction Authorization Act for Fiscal
19 Year 2006 (division B of Public Law 109–163; 119
20 Stat. 3497), as amended by section 2405(a)(2) of
21 this Act, \$47,016,000.

22 (13) For the construction of increment 2 of the
23 classified material conversion facility at Fort Meade,
24 Maryland, authorized by section 2401(a) of the Mili-
25 tary Construction Authorization Act for Fiscal Year

1 2006 (division B of Public Law 109–163; 119 Stat.
2 3497), \$11,151,000.

3 (14) For the construction of increment 2 of a
4 replacement of a regional security operations center,
5 Augusta, Georgia, authorized by section 2401(a) of
6 the Military Construction Act for Fiscal Year 2006
7 (division B of Public Law 109–163; 119 Stat.
8 3497), as amended by section 2405(a)(1) of this
9 Act, \$107,118,000.

10 (15) For the construction of increment 2 of
11 construction of an operations building, Menwith Hall
12 Station, United Kingdom, authorized by section
13 2401(b) of the Military Construction Act for Fiscal
14 Year 2006 (division B of Public Law 109–163; 119
15 Stat. 3498), as amended by section 2405(b)(1) of
16 this Act, \$46,386,000.

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

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

1 (2) \$184,752,000 (the balance of the amount
2 authorized under section 2401(a) of the Military
3 Construction Authorization Act for Fiscal Year 2006
4 (division B of Public Law 109–163; 119 Stat. 3497)
5 for construction of a regional security operations
6 center, Augusta, Georgia).

7 (3) \$254,508,000 (the balance of the amount
8 authorized under section 2401(a) of the Military
9 Construction Authorization Act for Fiscal Year 2006
10 (division B of Public Law 109–163; 119 Stat. 3497)
11 for construction of a regional security operations
12 center, Kunia, Hawaii).

13 (4) \$521,000,000 (the balance of the amount
14 authorized under section 2401(a) for construction of
15 a replacement facility, Fort Detrick, Maryland).

16 (5) \$187,120,000 (the balance of the amount
17 authorized under section 2401(a) of the Military
18 Construction Authorization Act for Fiscal Year 1997
19 (division B of Public Law 104–201; 110 Stat.
20 2775), as amended by section 2406 of the Military
21 Construction Authorization Act for Fiscal Year 2000
22 (division B of Public Law 106–65; 113 Stat. 839)
23 and section 2407 of the Military Construction Au-
24 thorization Act for Fiscal Year 2003 (division B of
25 Public Law 107–314; 116 Stat. 2698), for construc-

1 tion of a munitions demilitarization facility at Pueb-
2 lo Chemical Activity, Colorado).

3 (6) \$134,554,000 (the balance of the amount
4 authorized under section 2401(a) of the Military
5 Construction Authorization Act for Fiscal Year 2000
6 (division B of Public Law 106–65; 113 Stat. 835),
7 as amended by section 2405 of the Military Con-
8 struction Authorization Act for Fiscal Year 2002
9 (division B of Public Law 107–107; 115 Stat. 1298)
10 and section 2405 of the Military Construction Au-
11 thorization Act for Fiscal Year 2003 (division B of
12 Public Law 107–314; 116 Stat. 2698), for construc-
13 tion of a munitions demilitarization facility at Blue
14 Grass Army Depot, Kentucky).

15 **SEC. 2405. MODIFICATION OF AUTHORITY TO CARRY OUT**
16 **CERTAIN FISCAL YEAR 2006 PROJECTS.**

17 (a) MODIFICATION OF INSIDE THE UNITED STATES
18 PROJECT.—The table relating to the National Security
19 Agency in section 2401(a) of the Military Construction
20 Authorization Act for Fiscal Year 2006 (division B of
21 Public Law 109–163; 119 Stat. 3497) is amended—

22 (1) in the item relating to Augusta, Georgia, by
23 striking “\$61,466,000” in the amount column and
24 inserting “\$340,836,000”; and

1 (2) in the item relating to Kunia, Hawaii, by
2 striking “\$305,000,000” in the amount column and
3 inserting “\$350,490,000”.

4 (b) MODIFICATION OF OUTSIDE THE UNITED
5 STATES PROJECT.—The table relating to the National Se-
6 curity Agency in section 2401(b) of the Military Construc-
7 tion Authorization Act for Fiscal Year 2006 (division B
8 of Public Law 109–163; 119 Stat. 3498) is amended in
9 the item relating to Menwith Hill, United Kingdom, by
10 striking “\$86,354,000” in the amount column and insert-
11 ing “\$88,083,000”.

12 (c) CONFORMING AMENDMENT.—Section 2403(b) of
13 that Act (119 Stat. 3500) is amended—

14 (1) in paragraph (2), by striking
15 “\$12,500,000” and inserting “\$291,870,000”;

16 (2) in paragraph (3), by striking
17 “\$256,034,000” and inserting “\$301,524,000”; and

18 (3) in paragraph (5), by striking
19 “\$44,657,000” and inserting “\$46,386,000”.

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

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

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

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

16 Funds are hereby authorized to be appropriated for
17 fiscal years beginning after September 30, 2006, for con-
18 tributions by the Secretary of Defense under section 2806
19 of title 10, United States Code, for the share of the United
20 States of the cost of projects for the North Atlantic Treaty
21 Organization Security Investment Program authorized by
22 section 2501, in the amount of \$205,985,000.

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

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

5 Funds are hereby authorized to be appropriated for
6 fiscal years beginning after September 30, 2006, for the
7 costs of acquisition, architectural and engineering services,
8 and construction of facilities for the Guard and Reserve
9 Forces, and for contributions therefor, under chapter
10 1803 of title 10, United States Code (including the cost
11 of acquisition of land for those facilities), in the following
12 amounts:

13 (1) For the Department of the Army—

14 (A) for the Army National Guard of the
15 United States, \$524,031,000; and

16 (B) for the Army Reserve, \$189,817,000.

17 (2) For the Department of the Navy, for the
18 Navy and Marine Corps Reserve, \$48,408,000.

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

20 (A) for the Air National Guard of the
21 United States, \$245,743,000; and

22 (B) for the Air Force Reserve,
23 \$44,936,000.

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

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

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

15 (1) October 1, 2009; or

16 (2) the date of the enactment of an Act author-
17 izing funds for military construction for fiscal year
18 2010.

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

1 (1) October 1, 2009; or

2 (2) the date of the enactment of an Act author-
 3 izing funds for fiscal year 2010 for military con-
 4 struction projects, land acquisition, family housing
 5 projects and facilities, or contributions to the North
 6 Atlantic Treaty Organization Security Investment
 7 Program.

8 **SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 9 **FISCAL YEAR 2004 PROJECTS.**

10 (a) EXTENSION.—Notwithstanding section 2701 of
 11 the Military Construction Authorization Act for Fiscal
 12 Year 2004 (division B of Public Law 108–136; 117 Stat.
 13 1716), authorizations set forth in the tables in subsection
 14 (b), as provided in sections 2101, 2301, 2302, 2401, and
 15 2601 of that Act, shall remain in effect until October 1,
 16 2007, or the date of the enactment of an Act authorizing
 17 funds for military construction for fiscal year 2008, which-
 18 ever is later.

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

Army: Extension of 2004 Project Authorizations

State	Installation or Location	Project	Amount
Alaska	Fort Wainwright	Multi-Purpose Training Range Complex	\$47,000,000
Hawaii	Helemano Military Reservation	Land Easement	\$1,400,000
Virginia	Fort Belvoir	NGIC Land Acquisition	\$7,000,000

Army: Extension of 2004 Project Authorizations—Continued

State	Installation or Location	Project	Amount
Italy	Fort Lee	Fire & Emergency Services Center (Ph 2)	\$3,850,000
	Aviano Air Base	Joint Deployment Facility (Ph 1)	\$15,500,000

Air Force: Extension of 2004 Project Authorizations

State	Installation or Location	Project	Amount
California	Travis Air Force Base	Replace Family Housing (56 Units)	\$12,723,000
Florida	Eglin Air Force Base ..	Replace Family Housing (279 Units)	\$32,166,000
Hawaii	Hickam Air Force Base	Expand Strategic Airlift Parking Ramp	\$10,102,000
Texas	Dyess Air Force Base	Replace Family Housing (116 Units)	\$19,973,000

Defense Wide: Extension of 2004 Project Authorizations

Agency	Installation or Location	Project	Amount
Defense Logistics Agency.	Hickam Air Force Base, Hawaii	Replace Hydrant Fuel System	\$14,100,000

Army National Guard: Extension of 2004 Authorization of Appropriations

State	Installation or Location	Project	Amount
Indiana	Gary	Army Aviation Support Facility	\$15,581,000
New Mexico	Albuquerque	Readiness Center, Add/Alt (ADRS)	\$2,533,000
Pennsylvania	Fort Indiantown Gap ..	Multi-Purpose Training Range	\$15,338,000

1 **SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 2 **FISCAL YEAR 2003 PROJECTS.**

3 (a) EXTENSION.—Notwithstanding section 2701 of
 4 the Military Construction Authorization Act for Fiscal
 5 Year 2003 (division B of Public Law 107–314; 116 Stat.
 6 2700), authorizations set forth in the tables in subsection
 7 (b), as provided in section 2302 of that Act, shall remain
 8 in effect until October 1, 2007, or the date of the enact-
 9 ment of an Act authorizing funds for military construction
 10 for fiscal year 2008, whichever is later.

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

Air Force: Extension of 2003 Project Authorizations

State	Installation or Location	Project	Amount
Florida	Eglin Air Force Base ..	Replace Family Housing (134 Units)	\$15,906,000
	Eglin Air Force Base ..	Replace Housing Office	\$597,000
Texas	Randolph Air Force Base	Replace Family Housing Maintenance Facility	\$447,000

13 **SEC. 2704. EFFECTIVE DATE.**

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

16 (1) October 1, 2006; or

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

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

6 **SEC. 2801. THREE-YEAR EXTENSION OF TEMPORARY, LIM-**
7 **ITED AUTHORITY TO USE OPERATION AND**
8 **MAINTENANCE FUNDS FOR CONSTRUCTION**
9 **PROJECTS OUTSIDE THE UNITED STATES.**

10 Section 2808 of the Military Construction Authoriza-
11 tion Act for Fiscal Year 2004 (division B of Public Law
12 108–136; 117 Stat. 1723), as amended by section 2810
13 of the Military Construction Authorization Act for Fiscal
14 Year 2005 (division B of Public Law 108–375; 118 Stat.
15 2128) and section 2809 of the Military Construction Au-
16 thorization Act for Fiscal Year 2006 (division B of Public
17 Law 109–163; 119 Stat. 3508), is further amended—

18 (1) in subsection (a), by striking “fiscal years
19 2005 and 2006” and inserting “fiscal years 2005,
20 2006, 2007, 2008, and 2009”; and

21 (2) in subsection (f)—

22 (A) in paragraph (1), by striking “the
23 Subcommittees on Defense and Military Con-
24 struction of” and inserting “the Subcommittees

1 on Defense and on Military Construction and
 2 Veterans Affairs, and Related Agencies of”; and

3 (B) in paragraph (2), by striking “the
 4 Subcommittees on Defense and Military Con-
 5 struction of” and inserting “the Subcommittees
 6 on Defense and on Military Quality of Life and
 7 Veterans Affairs, and Related Agencies of”.

8 **SEC. 2802. AUTHORITY TO CARRY OUT MILITARY CON-**
 9 **STRUCTION PROJECTS IN CONNECTION WITH**
 10 **INDUSTRIAL FACILITY INVESTMENT PRO-**
 11 **GRAM.**

12 (a) **AUTHORITY.**—Subchapter III of chapter 169 of
 13 title 10, United States Code, is amended by adding at the
 14 end the following new section:

15 **“§ 2870. Authority to carry out military construction**
 16 **projects in connection with industrial fa-**
 17 **cility investment program**

18 “(a) **AUTHORITY.**—The Secretary of Defense may
 19 carry out a military construction project, not previously
 20 authorized, for the purpose of carrying out activities under
 21 section 2474(a)(2) of this title, using funds appropriated
 22 or otherwise made available for that purpose.

23 “(b) **CREDITING OF FUNDS.**—Funds appropriated or
 24 otherwise made available in a fiscal year for the purpose
 25 of carrying out a military construction project with respect

1 to a public depot under subsection (a) may be credited
2 to the amount required under section 2208(s) of this title
3 to be invested in such fiscal year in the capital budget
4 for such public depot.

5 “(c) NOTICE AND WAIT REQUIREMENT.—The Sec-
6 retary may not carry out a project under subsection (a)
7 until 21 days after the date on which the Secretary noti-
8 fies the congressional defense committees of the intent to
9 carry out such project and the savings estimated to be
10 realized from such project or, if earlier, 14 days after the
11 date on which a copy of the notification is provided in an
12 electronic medium pursuant to section 480 of this title.

13 “(d) ANNUAL REPORT.—Not later than December 31
14 of each year, the Secretary shall submit to Congress a re-
15 port describing actions taken under this section and the
16 savings realized from such actions during the fiscal year
17 ending in the year in which the report is submitted.”.

18 (b) CLERICAL AMENDMENT.—The table of sections
19 at the beginning of such subchapter is amended by adding
20 at the end the following new item:

“2870. Authority to carry out military construction projects in connection with
industrial facility investment program.”.

1 **SEC. 2803. MODIFICATION OF NOTIFICATION REQUIRE-**
2 **MENTS RELATED TO COST VARIATION AU-**
3 **THORITY.**

4 Section 2853(c) of title 10, United States Code, is
5 amended—

6 (1) in paragraph (1), by striking the semicolon
7 at the end and inserting “; and”;

8 (2) by amending paragraph (2) to read as fol-
9 lows:

10 “(2)(A) in the case of a cost increase or a re-
11 duction in the scope of work—

12 “(i) the Secretary concerned notifies the
13 appropriate committees of Congress in writing
14 of the cost increase or reduction in scope and
15 the reasons therefor, including a description of
16 the funds proposed to be used to finance any
17 increased costs; and

18 “(ii) a period of 21 days has elapsed after
19 the date on which the notification is received by
20 the committees or, if over sooner, a period of 14
21 days has elapsed after the date on which a copy
22 of the notification is provided in an electronic
23 medium pursuant to section 480 of this title; or

24 “(B) in the case of a cost decrease, the Sec-
25 retary concerned notifies the appropriate committees
26 of Congress in writing not later than 14 days after

1 the date funds are obligated in connection with the
2 military construction project or military family hous-
3 ing project.”; and

4 (3) by striking paragraph (3).

5 **SEC. 2804. CONSIDERATION OF LOCAL COMPARABILITY OF**
6 **FLOOR AREAS IN CONSTRUCTION, ACQUISSI-**
7 **TION, AND IMPROVEMENT OF MILITARY UN-**
8 **ACCOMPANIED HOUSING.**

9 (a) IN GENERAL.—Section 2856 of title 10, United
10 States Code, is amended to read as follows:

11 **“§ 2856. Military unaccompanied housing: local com-**
12 **parability of floor areas**

13 “In the construction, acquisition, and improvement of
14 military unaccompanied housing, the Secretary concerned
15 shall ensure that the floor areas of such housing in a par-
16 ticular locality (as designated by the Secretary concerned
17 for purposes of this section) do not exceed the floor areas
18 of similar housing in the private sector in that locality.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of chapter 169 of such title is amended
21 by striking the item relating to section 2856 and inserting
22 the following:

“2856. Military unaccompanied housing: local comparability of floor areas.”.

1 **SEC. 2805. INCREASE IN THRESHOLDS FOR UNSPECIFIED**
2 **MINOR MILITARY CONSTRUCTION PROJECTS.**

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

5 (1) by striking “\$1,500,000” and inserting
6 “\$2,500,000”; and

7 (2) by striking “\$3,000,000” and inserting
8 “\$4,000,000”.

9 (b) EFFECTIVE DATE.—The amendments made by
10 subsection (a) shall take effect on October 1, 2006.

11 **SEC. 2806. INCLUSION OF MILITARY TRANSPORTATION AND**
12 **SUPPORT SYSTEMS IN ENERGY SAVINGS PRO-**
13 **GRAM.**

14 (a) IN GENERAL.—Section 2865 of title 10, United
15 States Code, is amended—

16 (1) in the section heading, by inserting “**for**
17 **military operations and**” after “**Energy**
18 **savings**”;

19 (2) in subsection (a)—

20 (A) by amending paragraph (1) to read as
21 follows:

22 “(1) The Secretary of Defense shall designate energy
23 performance goals for the Department of Defense for mili-
24 tary transportation and support systems and installations.
25 The goals shall be consistent, where appropriate, with the
26 Energy Policy Act of 2005 (Public Law 109–58).”;

1 (B) in paragraph (2), by striking “energy
2 conservation measures” and all that follows
3 through “energy savings” and inserting “energy
4 conservation measures and alternative energy
5 initiatives to achieve maximum total life-cycle
6 energy savings”;

7 (C) in paragraph (3)—

8 (i) by striking “energy efficient main-
9 tenance” and inserting “energy efficient
10 operations and maintenance”; and

11 (ii) by inserting after “10 years or
12 less” the following: “, except that the Sec-
13 retary may provide that energy conserva-
14 tion measures related to equipment and
15 systems supporting industrial processes
16 may have a positive net present value over
17 a period of 20 years or less”; and

18 (D) in paragraph (4)—

19 (i) by striking “energy efficient main-
20 tenance” and inserting “energy efficient
21 operations and maintenance”;

22 (ii) in subparagraph (A), by inserting
23 “vehicles, military support equipment,”
24 after “such as”; and

1 (iii) in subparagraph (B), by striking
2 “an operation or maintenance process,
3 such as improved training” and inserting
4 “a military operation or maintenance proc-
5 ess, such as the use of alternative fuels
6 and energy sources, improved training,”;

7 (3) in subsection (b)(2)(A), by striking “instal-
8 lations of the Department of Defense as may be des-
9 igned” and inserting “installations of the Depart-
10 ment of Defense and related to such vehicles and
11 military support equipment of the Department of
12 Defense as may be designated”;

13 (4) by redesignating subsections (e) and (f) as
14 subsections (f) and (g), respectively; and

15 (5) by inserting after subsection (d) the fol-
16 lowing new subsection:

17 “(e) ENERGY EFFICIENCY IN NEW CONSTRUC-
18 TION.—

19 “(1) The Secretary of Defense shall ensure, to
20 the maximum extent practicable, that energy effi-
21 cient products meeting the Department’s require-
22 ments, if cost effective over the life cycle of the prod-
23 uct and readily available, be used in new facility con-
24 struction by or for the Department carried out
25 under this chapter.

1 “(2) In determining the energy efficiency of
2 products, the Secretary shall consider products
3 that—

4 “(A) meet or exceed Energy Star specifica-
5 tions; or

6 “(B) are listed on the Department of En-
7 ergy’s Federal Energy Management Program
8 Product Energy Efficiency Recommendations
9 product list.”.

10 **SEC. 2807. REPEAL OF AUTHORITY TO CONVEY PROPERTY**
11 **AT CLOSED OR REALIGNED MILITARY IN-**
12 **STALLATIONS TO SUPPORT MILITARY CON-**
13 **STRUCTION.**

14 (a) REPEAL.—Section 2869 of title 10, United States
15 Code, is repealed.

16 (b) CONFORMING AND CLERICAL AMENDMENTS.—

17 (1) CONFORMING AMENDMENTS.—(A) Section
18 2822(b) of such title is amended by striking para-
19 graph (6).

20 (B) Section 2883(c) of such title is amended—

21 (i) in paragraph (1), by striking subpara-
22 graph (F); and

23 (ii) in paragraph (2), by striking subpara-
24 graph (F).

1 (2) CLERICAL AMENDMENT.—The table of sec-
 2 tions at the beginning of subchapter III of chapter
 3 169 of such title is amended by striking the item re-
 4 lating to section 2869.

5 **SEC. 2808. REPEAL OF REQUIREMENT TO DETERMINE**
 6 **AVAILABILITY OF SUITABLE ALTERNATIVE**
 7 **HOUSING FOR ACQUISITION IN LIEU OF CON-**
 8 **STRUCTION OF NEW FAMILY HOUSING.**

9 (a) IN GENERAL.—Section 2823 of title 10, United
 10 States Code, is repealed.

11 (b) CLERICAL AMENDMENT.—The table of sections
 12 at the beginning of chapter 169 of such title is amended
 13 by striking the item relating to section 2823.

14 **SEC. 2809. UPDATING FOREIGN CURRENCY FLUCTUATION**
 15 **ADJUSTMENT FOR CERTAIN MILITARY FAM-**
 16 **ILY HOUSING LEASES IN KOREA.**

17 Section 2828(e)(5)(A) of title 10, United States
 18 Code, is amended to read as follows:

19 “(A) for—

20 “(i) foreign currency fluctuations from Oc-
 21 tober 1, 1987, in the case of maximum lease
 22 amounts provided for under paragraphs (1),
 23 (2), and (3); or

24 “(ii) foreign currency appreciation during
 25 the previous fiscal year, starting from the fiscal

1 year of enactment of the lease authority under
2 paragraph (4), in the case of the maximum
3 lease amount provided for under such para-
4 graph; and”.

5 **SEC. 2810. PILOT PROJECTS FOR ACQUISITION OR CON-**
6 **STRUCTION OF MILITARY UNACCOMPANIED**
7 **HOUSING.**

8 (a) **REDUCTION OF APPLICABLE NOTIFICATION PE-**
9 **RIODS.**—Section 2881a of title 10, United States Code,
10 is amended by striking “90 days” both places it appears
11 and inserting “30 days”.

12 (b) **EXTENSION OF AUTHORITY.**—Subsection (f) of
13 such section is amended by striking “2007” and inserting
14 “2009”.

15 **SEC. 2811. CERTIFICATION REQUIRED FOR CERTAIN MILI-**
16 **TARY CONSTRUCTION PROJECTS.**

17 The Department of Defense may not use amounts au-
18 thorized to be appropriated for a fiscal year beginning
19 after September 30, 2006, to carry out a military con-
20 struction project to construct a facility designed to provide
21 training in urban operations for personnel of the Depart-
22 ment of Defense or other Federal agencies until the Under
23 Secretary of Defense for Personnel and Readiness, in con-
24 sultation with the Commander of the United States Joint

1 Forces Command, has certified to the congressional de-
2 fense committees that—

3 (1) the Secretary of Defense has approved a
4 strategy for training and facility construction for op-
5 erations in urban terrain; and

6 (2) the Under Secretary has evaluated the
7 project and determined that the project—

8 (A) is consistent with such strategy; and

9 (B) incorporates the appropriate capabili-
10 ties for joint and interagency use in accordance
11 with such strategy.

12 **SEC. 2812. MODIFICATION OF LAND ACQUISITION AUTHOR-**
13 **ITY, PERQUIMANS COUNTY, NORTH CARO-**
14 **LINA.**

15 Section 2846 of the Military Construction Authoriza-
16 tion Act for Fiscal Year 2002 (division B of Public Law
17 107–107; 115 Stat. 1320), as amended by section 2865
18 of the Military Construction Authorization Act for Fiscal
19 Year 2005 (division B of Public Law 108–375; 118 Stat.
20 2149), is further amended by striking “840 acres” and
21 inserting “1,550 acres”.

1 **SEC. 2813. NAMING OF RESEARCH LABORATORY AT AIR**
2 **FORCE ROME RESEARCH SITE, ROME, NEW**
3 **YORK, IN HONOR OF SHERWOOD L. BOEH-**
4 **LERT, A MEMBER OF THE HOUSE OF REP-**
5 **RESENTATIVES.**

6 The new laboratory facility at the Air Force Rome
7 Research Site, Rome, New York, shall be known and des-
8 ignated as the “Sherwood L. Boehlert Engineering Cen-
9 ter”. Any reference in a law, map, regulation, document,
10 paper, or other record of the United States to such labora-
11 tory facility shall be deemed to be a reference to the Sher-
12 wood L. Boehlert Engineering Center.

13 **SEC. 2814. NAMING OF ADMINISTRATION BUILDING AT**
14 **JOINT SYSTEMS MANUFACTURING CENTER**
15 **IN LIMA, OHIO, AFTER MICHAEL G. OXLEY, A**
16 **MEMBER OF THE HOUSE OF REPRESENTA-**
17 **TIVES.**

18 The administration building under construction at
19 the Joint Systems Manufacturing Center in Lima, Ohio,
20 shall, upon be completion, be known and designated as the
21 “Michael G. Oxley Administration and Technology Cen-
22 ter”. Any reference in a law, map, regulation, document,
23 paper, or other record of the United States to such admin-
24 istration building shall be deemed to be a reference to the
25 Michael G. Oxley Administration and Technology Center.

1 **SEC. 2815. NAMING OF MILITARY FAMILY HOUSING FACIL-**
2 **ITY AT FORT CARSON, COLORADO, IN HONOR**
3 **OF JOEL HEFLEY, A MEMBER OF THE HOUSE**
4 **OF REPRESENTATIVES.**

5 The Secretary of the Army shall designate one of the
6 military family housing areas or facilities constructed for
7 Fort Carson, Colorado, using the authority provided by
8 subchapter IV of chapter 169 of title 10, United States
9 Code, as the “Joel Hefley Village”. Any reference in any
10 law, regulation, map, document, record, or other paper of
11 the United States to the military housing area or facility
12 designated under this section shall be considered to be a
13 reference to Joel Hefley Village.

14 **SEC. 2816. AUTHORITY TO OCCUPY UNITED STATES SOUTH-**
15 **ERN COMMAND FAMILY HOUSING.**

16 (a) The Secretary of the Army may authorize family
17 members of a member of the armed forces on active duty
18 who is occupying a housing unit leased under section
19 2828(b)(4) of title 10, United States Code and who is as-
20 signed to a family-member-restricted area to remain in the
21 leased housing unit until the member completes the fam-
22 ily-member-restricted tour. Costs incurred for such hous-
23 ing during such tour shall be included in the costs subject
24 to the limitation under subparagraph (B) of that para-
25 graph.

1 (b) The authority granted by subsection (a) shall ex-
 2 pire on September 30, 2008.

3 **Subtitle B—Real Property and**
 4 **Facilities Administration**

5 **SEC. 2821. CONSOLIDATION OF EASEMENT PROVISIONS.**

6 (a) CONSOLIDATION OF EASEMENT PROVISIONS.—

7 (1) TRANSFER OF EASEMENTS SECTION.—Sec-
 8 tion 2668 of title 10, United States Code, is—

9 (A) transferred to appear after section
 10 2671 of such title; and

11 (B) redesignated as section 2672 of such
 12 title.

13 (2) CONSOLIDATED AUTHORITY.—Section
 14 2672, as redesignated by paragraph (1), is
 15 amended—

16 (A) in subsection (a)—

17 (i) by inserting “TYPES OF EASE-
 18 MENTS.—” after “(a)”;

19 (ii) in the matter preceding paragraph
 20 (1), by striking “to a State, Territory,
 21 Commonwealth, or possession, or political
 22 subdivision thereof, or to a citizen, associa-
 23 tion, partnership, or corporation of a
 24 State, Territory, Commonwealth, or pos-
 25 session,”;

1 (iii) in paragraph (2), by striking “oil
2 pipe lines” and inserting “gas, water,
3 sewer, and oil pipe lines”; and

4 (iv) in paragraph (13), by striking “,
5 except a purpose covered by section 2669
6 of this title”;

7 (B) in subsection (b), by inserting “LIMI-
8 TATION ON SIZE.—” after “(b)”;

9 (C) in subsection (c), by inserting “TERMI-
10 NATION.—” after “(c)”;

11 (D) in subsection (d), by inserting “NO-
12 TICE TO DEPARTMENT OF THE INTERIOR.—”
13 after “(d)”;

14 (E) in subsection (e), by inserting “DIS-
15 POSITION OF CONSIDERATION.—” after “(e)”.

16 (b) REPEAL OF OBSOLETE AUTHORITY.—Section
17 2669 of such title is repealed.

18 (c) CONFORMING AMENDMENTS.—The table of sec-
19 tions at the beginning of chapter 159 of such title is
20 amended—

21 (1) by striking the items relating to sections
22 2668 and 2669; and

23 (2) by inserting after the item relating to sec-
24 tion 2671 the following new item:

“2672. Easements for rights-of-way.”.

1 **SEC. 2822. AUTHORITY TO GRANT RESTRICTIVE EASE-**
2 **MENTS FOR CONSERVATION AND ENVIRON-**
3 **MENTAL RESTORATION PURPOSES.**

4 (a) AUTHORITY TO GRANT RESTRICTIVE EASE-
5 MENTS.—Chapter 159 of title 10, United States Code, as
6 amended by section 2821 of this Act, is further amended
7 by inserting after section 2672 of such title the following
8 new section:

9 **“§ 2672a. Authority to grant restrictive easements**

10 “(a) CONSERVATION EASEMENTS.—(1)(A) If the
11 Secretary of a military department finds that it will be
12 in the public interest, the Secretary may, subject to para-
13 graph (2), grant, upon such terms as the Secretary con-
14 siders advisable and with the consent of an entity de-
15 scribed in subparagraph (B), a restrictive easement to
16 such entity over, in, and upon any real property that is
17 transferred by deed by that department restricting future
18 uses of the property for a conservation purpose consistent
19 with section 170(h)(4)(A)(iv) of the Internal Revenue
20 Code of 1986 (26 U.S.C. 170(h)(4)(A)(iv)).

21 “(B) An entity referred to in subparagraph (A) is—

22 “(i) a State or local government; or

23 “(ii) a qualified organization, as that term is
24 defined in section 170(h) of the Internal Revenue
25 Code of 1986 (26 U.S.C. 170(h)).

1 “(2) An easement under paragraph (1) shall not be
2 granted unless the Secretary of the military department
3 concerned determines that—

4 “(A) the conservation of the property can not
5 be effectively achieved through the application of
6 State law by units of State or local government
7 without granting such easement;

8 “(B) the jurisdiction that encompasses the
9 property authorizes such easement; and

10 “(C) the Secretary can give or assign to a third
11 party the responsibility for monitoring and enforcing
12 such easement.

13 “(b) ENVIRONMENTAL EASEMENTS.—If the Sec-
14 retary of a military department finds that it will be in
15 the public interest, the Secretary may grant, upon such
16 terms as the Secretary considers advisable and with the
17 consent of a State or local government, a restrictive ease-
18 ment to such government over, in, and upon any real prop-
19 erty that is transferred by deed by that department re-
20 stricting future uses of the property to ensure the contin-
21 ued effectiveness of any environmental restoration func-
22 tion on the property conducted pursuant to chapter 160
23 of this title.

1 “(c) LIMITATIONS.—(1) No easement granted under
2 this section may include more land than is necessary for
3 the easement.

4 “(2) Easements granted under this section shall be
5 without consideration from the recipient.

6 “(3) Nothing in this section shall alter the respon-
7 sibilities of any party under Federal or State environ-
8 mental laws.”.

9 (b) CLERICAL AMENDMENT.—The table of sections
10 at the beginning of such chapter, as amended by section
11 2821 of this Act, is further amended by inserting after
12 the item relating to section 2672 the following new item:

“2672a. Authority to grant restrictive easements for conservation and environ-
mental restoration purposes.”.

13 **SEC. 2823. CONSOLIDATION OF PROVISIONS RELATING TO**
14 **TRANSFERS OF REAL PROPERTY WITHIN THE**
15 **DEPARTMENT OF DEFENSE AND TO OTHER**
16 **FEDERAL AGENCIES.**

17 (a) CONSOLIDATION AND RESTATEMENT OF AU-
18 THORITY ON INTERCHANGE, TRANSFER, AND SCREENING
19 OF DEPARTMENT OF DEFENSE REAL PROPERTY.—Sec-
20 tion 2696 of title 10, United States Code, is amended to
21 read as follows:

1 **“§ 2696. Real property: transfer between armed**
2 **forces; screening for transfer or convey-**
3 **ance**

4 “(a) TRANSFER BETWEEN ARMED FORCES.—If ei-
5 ther of the Secretaries concerned requests it and the other
6 approves, real property may be transferred, without com-
7 pensation, from one armed force to another.

8 “(b) SCREENING AND CONVEYANCE OF PROPERTY
9 FOR CORRECTIONAL FACILITIES PURPOSES.—(1) Except
10 as provided in paragraph (2), before any real property or
11 facility of the United States that is under the jurisdiction
12 of any department, agency, or instrumentality of the De-
13 partment of Defense is determined to be excess to the
14 needs of such department, agency, or instrumentality, the
15 Secretary of Defense shall—

16 “(A) provide adequate notification of the avail-
17 ability of such real property or facility within the
18 Department of Defense;

19 “(B) if such real property or facility remains
20 available after such notification, notify the Attorney
21 General of its availability; and

22 “(C) if the Attorney General certifies to the
23 Secretary that a determination has been made by
24 the Director of the Bureau of Justice Assistance
25 within the Department of Justice to utilize such real
26 property or facility under the correctional options

1 program carried out under section 515 of title I of
2 the Omnibus Crime Control and Safe Streets Act of
3 1968 (42 U.S.C. 3762a), convey such real property
4 or facility, without reimbursement, to a public agen-
5 cy referred to in paragraph (1) or (3) of subsection
6 (a) of such section for such utilization.

7 “(2) The provisions of this subsection shall not apply
8 during any portion of a fiscal year after four conveyances
9 have been made under this subsection in such fiscal year.

10 “(c) SCREENING FOR FURTHER FEDERAL USE BE-
11 FORE CONVEYANCE TO NON-FEDERAL ENTITIES.—(1)
12 The Secretary concerned may not convey real property
13 that is authorized or required to be conveyed, whether for
14 or without consideration, by any provision of law unless
15 the Administrator has screened the property for further
16 Federal use in accordance with subtitle I of title 40 and
17 title III of the Federal Property and Administrative Serv-
18 ices Act of 1949 (41 U.S.C. 251 et seq.).

19 “(2)(A) Before the end of the 30-day period begin-
20 ning on the date of the enactment of a provision of law
21 authorizing or requiring the conveyance of a parcel of real
22 property by the Secretary concerned, the Administrator of
23 General Services shall complete the screening referred to
24 in paragraph (1) with regard to the real property and no-

1 tify the Secretary concerned and Congress of the results
2 of the screening. The notice shall include—

3 “(i) the name of the Federal agency requesting
4 transfer of the property;

5 “(ii) the proposed use to be made of the prop-
6 erty by the Federal agency; and

7 “(iii) the fair market value of the property, in-
8 cluding any improvements thereon, as estimated by
9 the Administrator.

10 “(B) If the Administrator fails to complete the
11 screening and notify the Secretary concerned and Con-
12 gress within such period, the Secretary concerned shall
13 proceed with the conveyance of the real property as pro-
14 vided in the provision of law authorizing or requiring the
15 conveyance.

16 “(3) If the Administrator submits notice under para-
17 graph (2)(A) that further Federal use of a parcel of real
18 property is requested by a Federal agency, the Secretary
19 concerned may not proceed with the conveyance of the
20 property as provided in the provision of law authorizing
21 or requiring the conveyance until the end of the 180-day
22 period beginning on the date on which the notice is sub-
23 mitted to Congress.

1 “(4) The screening requirements of this subsection
2 shall not apply to real property authorized or required to
3 be conveyed under any of the following provisions of law:

4 “(A) A base closure law.

5 “(B) Chapter 5 of title 40.

6 “(C) Any specific provision of law authorizing
7 or requiring the transfer of administrative jurisdic-
8 tion over a parcel or real property between Federal
9 agencies.”.

10 (b) CONFORMING AMENDMENTS.—

11 (1) CONFORMING AMENDMENTS TO AUTHORITY
12 ON INTERCHANGE OF PROPERTY AND SERVICES.—

13 (A) Section 2571(a) of such title is amended by
14 striking “and real property”.

15 (B) The heading of such section is amended to
16 read as follows:

17 **“§ 2571. Interchange of supplies and services”.**

18 (2) REPEAL OF SUPERSEDED AUTHORITY ON
19 SCREENING AND TRANSFER FOR CORRECTIONAL
20 PURPOSES.—Section 2693 of such title is repealed.

21 (c) CLERICAL AMENDMENTS.—(1) The table of sec-
22 tions at the beginning of chapter 153 of such title is
23 amended by striking the item relating to section 2571 and
24 inserting the following new item:

“2571. Interchange of supplies and services.”.

1 (2) The table of sections at the beginning of chapter
2 159 of such title is amended—

3 (A) by striking the item relating to section
4 2693; and

5 (B) by striking the item relating to section
6 2696 and inserting the following new item:

“2696. Real property: transfer between armed forces; screening for transfer or conveyance.”.

7 **SEC. 2824. AUTHORITY TO USE EXCESS PROPERTY AS EX-**
8 **CHANGE UNDER AGREEMENTS TO LIMIT EN-**
9 **CROACHMENTS ON MILITARY TRAINING,**
10 **TESTING, AND OPERATIONS.**

11 Section 2684a(h) of title 10, United States Code, is
12 amended—

13 (1) in the heading, by striking “FUNDING” and
14 inserting “CONSIDERATION”; and

15 (2) by adding at the end the following new
16 paragraph:

17 “(3) Land under the jurisdiction of the Secretary
18 concerned that is determined to be excess to the needs of
19 the Department of Defense may be used by way of ex-
20 change to enter into an agreement under this section, but
21 only if such land is located within the same State as the
22 installation that is the subject of the agreement.”.

1 **SEC. 2825. MODIFICATION OF UTILITY SYSTEM AUTHORITY**
2 **AND RELATED REPORTING REQUIREMENTS.**

3 Section 2688 of title 10, United States Code, as
4 amended by section 2823 of the Military Construction Au-
5 thorization Act for Fiscal Year 2006 (Public Law 109-
6 163), is further amended—

7 (1) in subsection (a)(2)(A)—

8 (A) in clause (i), by striking the semicolon
9 at the end and inserting “; and”; and

10 (B) by striking clause (iii); and

11 (2) in subsection (d)—

12 (A) in paragraph (1), by striking “10
13 years” and inserting “50 years”; and

14 (B) in paragraph (2)—

15 (i) in the first sentence, by striking “a
16 term in excess of 10 years” and all that
17 follows through the period at the end and
18 inserting “a term not to exceed 50 years.”;
19 and

20 (ii) in the second sentence, by striking
21 “shall include” and all that follows
22 through the period at the end and insert-
23 ing “shall include an explanation of the
24 term of the contract.”.

1 **SEC. 2826. INCREASE IN AUTHORIZED MAXIMUM LEASE**
2 **TERM FOR CERTAIN STRUCTURES AND REAL**
3 **PROPERTY RELATING TO STRUCTURES IN**
4 **FOREIGN COUNTRIES.**

5 Section 2675(a) of title 10, United States Code, is
6 amended by striking “five years” and inserting “10
7 years”.

8 **SEC. 2827. MODIFICATION OF LAND TRANSFER AUTHORITY,**
9 **POTOMAC ANNEX, DISTRICT OF COLUMBIA.**

10 Section 2831 of the National Defense Authorization
11 Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat.
12 2795) is amended by striking “consisting of approximately
13 3 acres” and inserting “consisting of approximately 4
14 acres and containing two buildings, known as building 6
15 and building 7”.

16 **SEC. 2828. REPORTS ON ARMY TRAINING RANGES.**

17 (a) **LIMITATION.**—The Secretary of the Army may
18 not carry out any acquisition of real property to expand
19 the Pinon Canyon Maneuver Site at Fort Carson, Colo-
20 rado until 30 days after the Secretary submits the report
21 required under subsection (b).

22 (b) **REPORT ON PINON CANYON MANEUVER SITE.**—

23 (1) **IN GENERAL.**—Not later than November
24 30, 2006, the Secretary of the Army shall submit to
25 the congressional defense committees a report con-
26 taining an analysis of any potential expansion of the

1 military training range at the Pinon Canyon Maneu-
2 ver Site at Fort Carson, Colorado.

3 (2) CONTENT.—The report required under
4 paragraph (1) shall include the following informa-
5 tion:

6 (A) A description of the Army's current
7 and projected military requirements for training
8 at the Pinon Canyon Maneuver Site.

9 (B) An analysis of the reasons for any
10 changes in those requirements, including the ex-
11 tent to which they are a result of the increase
12 of military personnel due to the 2005 round of
13 defense base closure and realignment, the con-
14 version of Army brigades to a modular format,
15 or the Integrated Global Presence and Basing
16 Strategy.

17 (C) A proposed plan for addressing those
18 requirements, including a description of any
19 proposed expansion of the existing training
20 range by acquiring privately held land sur-
21 rounding the site and an analysis of alternative
22 approaches that do not require expansion of the
23 training range.

1 (D) If an expansion of the training range
2 is recommended pursuant to subparagraph (C),
3 the following information:

4 (i) An assessment of the economic im-
5 pact on local communities of such acqui-
6 sition.

7 (ii) An assessment of the environ-
8 mental impact of expanding the Pinon
9 Canyon Maneuver Site.

10 (iii) An estimate of the costs associ-
11 ated with the potential expansion, includ-
12 ing land acquisition, range improvements,
13 installation of utilities, environmental res-
14 toration, and other environmental activities
15 in connection with the acquisition.

16 (iv) An assessment of options for com-
17 pensating local communities for the loss of
18 property tax revenue as a result of the ex-
19 pansion of Pinon Canyon Maneuver Site.

20 (v) An assessment of whether the ac-
21 quisition of additional land at the Pinon
22 Canyon Maneuver Site can be carried out
23 by the Secretary solely through trans-
24 actions, including land exchanges and the

1 lease or purchase of easements, with will-
2 ing sellers of the privately held land.

3 (c) REPORT ON EXPANSION OF ARMY TRAINING
4 RANGES.—

5 (1) IN GENERAL.—Not later than February 1,
6 2007, the Secretary of the Army shall submit to the
7 congressional defense committees a report containing
8 an assessment of the training ranges operated by the
9 Army to support major Army units.

10 (2) CONTENT.—The report required under
11 paragraph (1) shall include the following informa-
12 tion:

13 (A) The size, description, and mission es-
14 sential training tasks supported by each such
15 Army training range during fiscal year 2003.

16 (B) A description of the projected changes
17 in training range requirements, including the
18 size, characteristics, and attributes for mission
19 essential training of each range and the extent
20 to which any changes in requirements are a re-
21 sult of the 2005 round of defense base closure
22 and realignment, the conversion of Army bri-
23 gades to a modular format, or the Integrated
24 Global Presence and Basing Strategy.

1 (C) The projected deficit or surplus of
2 training land at each such range, and a descrip-
3 tion of the Army’s plan to address that pro-
4 jected deficit or surplus of land as well as the
5 upgrade of range attributes at each existing
6 training range.

7 (D) A description of the Army’s
8 prioritization process and investment strategy
9 to address the potential expansion or upgrade
10 of training ranges.

11 (E) An analysis of alternatives to the ex-
12 pansion of Army ranges to include an assess-
13 ment of the joint use of ranges operated by
14 other services.

15 **SEC. 2829. USE OF RENEWABLE ENERGY TO MEET ELEC-**
16 **TRICITY NEEDS.**

17 It shall be the goal of the Department of Defense to
18 ensure that the Department—

19 (1) produces or procures not less than 25 per-
20 cent of the total quantity of electric energy it con-
21 sumes within its facilities and in its activities during
22 fiscal year 2025 and each fiscal year thereafter from
23 renewable energy sources (as defined in section
24 203(b) of the Energy Policy Act of 2005 (42 U.S.C.
25 15852(b)); and

1 (2) produces or procures such renewable energy
2 when it is life-cycle cost effective to do so (as defined
3 in section 708 of Executive Order 13123 (42 U.S.C.
4 8251 note; relating to greening the Government
5 through efficient energy management)).

6 **SEC. 2830. NAMING OF NAVY AND MARINE CORPS RESERVE**
7 **CENTER AT ROCK ISLAND, ILLINOIS, IN**
8 **HONOR OF LANE EVANS, A MEMBER OF THE**
9 **HOUSE OF REPRESENTATIVES.**

10 DESIGNATION.—The Navy and Marine Corps Re-
11 serve Center at Rock Island Arsenal, Illinois, shall be
12 known and designated as the “Lane Evans Navy and Ma-
13 rine Corps Reserve Center”. Any reference in a law, map,
14 regulation, document, paper, or other record of the United
15 States to the Navy and Marine Corps Reserve Center at
16 Rock Island Arsenal shall be deemed to be a reference to
17 the Lane Evans Navy and Marine Corps Reserve Center.

18 **Subtitle C—Base Closure and**
19 **Realignment**

20 **SEC. 2831. DEFENSE ECONOMIC ADJUSTMENT PROGRAM:**
21 **RESEARCH AND TECHNICAL ASSISTANCE.**

22 Section 2391 of title 10, United States Code, is
23 amended by inserting after subsection (b) the following
24 new subsection:

1 “(c) RESEARCH AND TECHNICAL ASSISTANCE.—(1)
2 The Secretary of Defense may make grants, conclude co-
3 operative agreements, and enter into contracts in order
4 to conduct research and technical assistance in support
5 of activities under this section or Executive Order 12788.

6 “(2) A grant, cooperative agreement, or contract
7 under this subsection may be with or to a Federal agency,
8 a State or local government, or any private entity.”.

9 **SEC. 2832. EXTENSION OF ELIGIBILITY FOR COMMUNITY**
10 **PLANNING ASSISTANCE RELATED TO CER-**
11 **TAIN MILITARY FACILITIES NOT UNDER DE-**
12 **PARTMENT OF DEFENSE JURISDICTION.**

13 Section 2391(d)(1) of title 10, United States Code,
14 is amended by striking the period at the end and inserting
15 the following: “, except that for purposes of subsection
16 (b)(1)(D), a ‘military installation’ may also include a mili-
17 tary facility owned and operated by a State, the District
18 of Columbia, the Commonwealth of Puerto Rico, American
19 Samoa, the Virgin Islands, or Guam even though such fa-
20 cility is not under the jurisdiction of the Department of
21 Defense, if the facility is subject to significant use for
22 training by the armed forces.”.

1 **SEC. 2833. MODIFICATION OF DEPOSIT REQUIREMENTS IN**
2 **CONNECTION WITH LEASE PROCEEDS RE-**
3 **CEIVED AT MILITARY INSTALLATIONS AP-**
4 **PROVED FOR CLOSURE OR REALIGNMENT**
5 **AFTER JANUARY 1, 2005.**

6 Section 2667(d) of title 10, United States Code, is
7 amended—

8 (1) in paragraph (5), by inserting after “lease
9 under subsection (f)” the following: “at a military
10 installation to be closed or realigned under a base
11 closure law, the date of approval of which is before
12 January 1, 2005,”; and

13 (2) by adding at the end the following new
14 paragraph:

15 “(6) Money rentals received by the United States
16 from a lease under subsection (f) at a military installation
17 to be closed or realigned under a base closure law, the
18 date of approval of which is on or after January 1, 2005,
19 shall be deposited into the account established under sec-
20 tion 2906A(a) of the Defense Base Closure and Realign-
21 ment Act of 1990 (part A of title XXIX of Public Law
22 101–510; 10 U.S.C. 2687 note).”.

1 **SEC. 2834. REPORT ON AIR FORCE AND AIR NATIONAL**
2 **GUARD BASES AFFECTED BY 2005 ROUND OF**
3 **DEFENSE BASE CLOSURE AND REALIGN-**
4 **MENT.**

5 (a) REPORT.—Not later than January 1, 2007, the
6 Secretary of the Air Force shall submit to Congress a re-
7 port on planning by the Department of the Air Force for
8 future roles and missions for active and Air National
9 Guard personnel and installations affected by decisions of
10 the 2005 round of defense base closure and realignment.

11 (b) CONTENT.—The report required under subsection
12 (a) shall include—

13 (1) an assessment of the capabilities, character-
14 istics, and capacity of the facilities, infrastructure,
15 and authorized personnel at each affected base;

16 (2) a description of the planning process used
17 by the Air Force to determine future roles and mis-
18 sions at active and Air National Guard bases af-
19 fected by the decisions of the 2005 round of defense
20 base closure and realignment, including an analysis
21 of alternatives for installations to support each fu-
22 ture role or mission;

23 (3) a description of the future roles and mis-
24 sions under consideration for each active and Air
25 National Guard base and an explanation of the cri-
26 teria and decision-making process to make final de-

1 wealth to establish on the property a cemetery operated
2 by the Commonwealth for veterans of the Armed Forces.

3 (b) REVERSIONARY INTEREST.—If the Secretary de-
4 termines at any time that the real property conveyed
5 under subsection (a) is not being used in accordance with
6 the purpose of the conveyance specified in such subsection,
7 all right, title, and interest in and to the property shall
8 revert, at the option of the Secretary, to the United States,
9 and the United States shall have the right of immediate
10 entry onto the property. Any determination of the Sec-
11 retary under this subsection shall be made on the record
12 after an opportunity for a hearing.

13 (c) PAYMENT OF COSTS OF CONVEYANCE.—

14 (1) PAYMENT REQUIRED.—(A) The Secretary
15 may require the Commonwealth to cover costs to be
16 incurred by the Secretary, or to reimburse the Sec-
17 retary for costs incurred by the Secretary, to carry
18 out the conveyance under subsection (a), including
19 survey costs, costs related to environmental docu-
20 mentation, and other administrative costs related to
21 the conveyance. If amounts are collected from the
22 Commonwealth in advance of the Secretary incur-
23 ring the actual costs, and the amount collected ex-
24 ceeds the costs actually incurred by the Secretary to

1 carry out the conveyance, the Secretary shall refund
2 the excess amount to the Commonwealth.

3 (B) The authority of the Secretary to require
4 the Commonwealth to cover administrative costs re-
5 lated to the conveyance does not include costs re-
6 lated to any environmental remediation required for
7 the property.

8 (2) TREATMENT OF AMOUNTS RECEIVED.—
9 Amounts received as reimbursement under para-
10 graph (1) shall be credited to the fund or account
11 that was used to cover the costs incurred by the Sec-
12 retary in carrying out the conveyance. Amounts so
13 credited shall be merged with amounts in such fund
14 or account and shall be available for the same pur-
15 poses, and subject to the same conditions and limita-
16 tions, as amounts in such fund or account.

17 (d) DESCRIPTION OF PROPERTY.—The exact acreage
18 and legal description of the real property to be conveyed
19 under subsection (a) shall be determined by a survey satis-
20 factory to the Secretary.

21 (e) ADDITIONAL TERMS AND CONDITIONS.—The
22 Secretary may require such additional terms and condi-
23 tions in connection with the conveyance under subsection
24 (a) as the Secretary considers appropriate to protect the
25 interests of the United States.

1 **SEC. 2842. MODIFICATIONS TO LAND CONVEYANCE AU-**
2 **THORITY, ENGINEERING PROVING GROUND,**
3 **FORT BELVOIR, VIRGINIA.**

4 (a) CONSTRUCTION OF SECURITY BARRIER.—Section
5 2836 of the Military Construction Authorization Act for
6 Fiscal Year 2002 (division B of Public Law 107–107; 115
7 Stat. 1314), as amended by section 2846 of the Military
8 Construction Authorization Act for Fiscal Year 2006 (di-
9 vision B of Public Law 109–163; 119 Stat. 3527), is fur-
10 ther amended—

11 (1) in subsection (b)(4), by striking
12 “\$3,880,000” and inserting “\$4,880,000”; and

13 (2) in subsection (d)—

14 (A) in paragraph (1), by inserting after
15 “Virginia,” the following: “and the construction
16 of a security barrier, as applicable,”; and

17 (B) in paragraph (2), by inserting after
18 “Building 191” the following: “and the con-
19 struction of a security barrier, as applicable”.

20 (b) AUTHORITY TO ENTER INTO ALTERNATIVE
21 AGREEMENT FOR DESIGN AND CONSTRUCTION OF FAIR-
22 FAX COUNTY PARKWAY PORTION.—Such section 2836 is
23 further amended—

24 (1) in subsection (b)—

25 (A) by amending paragraph (1) to read as
26 follows:

1 “(1) except as provided in subsection (f), design
2 and construct, at its expense and for public benefit,
3 the portion of the Fairfax County Parkway through
4 the Engineer Proving Ground (in this section re-
5 ferred to as the ‘Parkway portion’);”;

6 (B) in paragraph (2), by inserting after
7 “C514” the following: “, RW-214 (in this sec-
8 tion referred to as ‘Parkway project’)”;

9 (2) by redesignating subsection (f) as sub-
10 section (g);

11 (3) by inserting after subsection (e) the fol-
12 lowing new subsection:

13 “(f) ALTERNATE AGREEMENT FOR CONSTRUCTION
14 OF ROAD.—(1) The Secretary of the Army may, in con-
15 nection with the conveyance authorized under subsection
16 (a), enter into an agreement with the Commonwealth pro-
17 viding for the design and construction by the Department
18 of the Army or the United States Department of Trans-
19 portation of the Parkway portion and other portions of
20 the Fairfax County Parkway off the Engineer Proving
21 Ground that are necessary to complete the Parkway
22 project (in this subsection referred to as the ‘alternate
23 agreement’) if the Secretary determines that the alternate
24 agreement is in the best interests of the United States
25 to support the permanent relocation of additional military

1 and civilian personnel at Fort Belvoir pursuant to deci-
2 sions made as part of the 2005 round of defense base clo-
3 sure and realignment under the Defense Base Closure and
4 Realignment Act of 1990 (part A of title XXIX of Public
5 Law 101–510; 10 U.S.C. 2687 note).

6 “(2) If the Secretary of Defense certifies that the
7 Parkway portion is important to the national defense pur-
8 suant to section 210 of title 23, United States Code, the
9 Secretary of the Army may enter into an agreement with
10 the Secretary of Transportation to carry out the alternate
11 agreement under the Defense Access Road Program.

12 “(3) The Commonwealth shall pay to the Secretary
13 of the Army the costs of the design and construction of
14 the Parkway portion and any other portions of the Fairfax
15 County Parkway off the Engineer Proving Ground de-
16 signed and constructed under the alternate agreement.
17 The Secretary shall apply such payment to the design and
18 construction provided for in the alternate agreement.

19 “(4) The Secretary may carry out environmental res-
20 toration activities on real property under the jurisdiction
21 of the Secretary in support of the construction of the
22 Parkway portion with funds appropriated for that pur-
23 pose.

24 “(5) The alternate agreement shall be subject to the
25 following conditions:

1 “(A) The Commonwealth shall acquire and re-
2 tain all necessary right, title, and interest in any
3 real property not under the jurisdiction of the Sec-
4 retary that is necessary for construction of the Park-
5 way portion or for construction of any other portions
6 of the Fairfax County Parkway off the Engineer
7 Proving Ground that will be constructed under the
8 alternate agreement, and shall grant to the United
9 States all necessary access to and use of such prop-
10 erty for such construction.

11 “(B) With respect to activities related to the
12 construction of any portion of the Fairfax County
13 Parkway off the Engineer Proving Ground that is
14 not owned by the Federal Government, the Secretary
15 of the Army shall not be considered an owner or op-
16 erator for purposes of the Comprehensive Environ-
17 mental Response, Compensation, and Liability Act
18 of 1980 (42 U.S.C. 9601 et seq.).

19 “(C) The Secretary shall receive consideration
20 from the Commonwealth as required in subsections
21 (b)(2), (b)(3), and (b)(4) and shall carry out the ac-
22 ceptance and disposition of funds in accordance with
23 subsection (d).

24 “(6) The design of the Parkway portion under the
25 alternate agreement shall be subject to the approval of the

1 Secretary and the Commonwealth in accordance with the
2 Virginia Department of Transportation Approved Plan,
3 dated June 15, 2004, Project #R000-029-249, PE-108,
4 C-514, RW-214. For each phase of the design and con-
5 struction of the Parkway portion under the alternate
6 agreement, the Secretary may—

7 “(A) accept funds from the Commonwealth; or

8 “(B) transfer funds received from the Common-
9 wealth to the United States Department of Trans-
10 portation.

11 “(7) Upon completion of the construction of the
12 Parkway portion and any other portions of the Fairfax
13 County Parkway off the Engineer Proving Ground re-
14 quired under the alternate agreement, the Secretary shall
15 carry out the conveyance under subsection (a). As a condi-
16 tion of such conveyance carried out under the alternate
17 agreement, the Secretary shall receive a written commit-
18 ment, in a form satisfactory to the Secretary, that the
19 Commonwealth agrees to accept all responsibility for the
20 costs of operation and maintenance of the Parkway por-
21 tion upon conveyance to the Commonwealth of such real
22 property.”; and

23 (4) in subsection (g), as redesignated by para-
24 graph (2), by inserting “or the alternate agreement

1 authorized under subsection (f)” after “conveyance
2 under subsection (a)”.

3 **SEC. 2843. LAND CONVEYANCES, OMAHA, NEBRASKA.**

4 (a) CONVEYANCES AUTHORIZED.—

5 (1) ARMY CONVEYANCE.—The Secretary of the
6 Army may convey to the Metropolitan Community
7 College Area, a public community college located in
8 Omaha, Nebraska (in this section referred to as the
9 “College”) all right, title, and interest of the United
10 States in and to three parcels of real property under
11 the control of the Army Reserve, including any im-
12 provements thereon, consisting of approximately
13 5.42 acres on the Fort Omaha campus at the Col-
14 lege, for educational purposes.

15 (2) NAVY CONVEYANCE.—The Secretary of the
16 Navy may convey to the College all right, title, and
17 interest of the United States in and to a parcel of
18 real property under the control of the Navy Reserve
19 and Marine Corps Reserve, including any improve-
20 ments thereon, consisting of approximately 6.57
21 acres on the Fort Omaha campus at the College, for
22 educational purposes.

23 (b) CONSIDERATION.—

24 (1) IN GENERAL.—As consideration for each
25 conveyance under subsection (a), the College shall

1 provide the United States, whether by cash payment,
2 in-kind consideration, or a combination thereof, an
3 amount that is not less than the fair market value
4 of the conveyed property, as determined pursuant to
5 an appraisal acceptable to the Secretary concerned.

6 (2) REDUCED TUITION RATES.—The Secretary
7 concerned may accept as in-kind consideration under
8 paragraph (1) reduced tuition rates for military per-
9 sonnel at the College.

10 (c) PAYMENT OF COSTS OF CONVEYANCES.—

11 (1) PAYMENT REQUIRED.—The Secretary con-
12 cerned shall require the College to cover costs to be
13 incurred by the Secretary, or to reimburse the Sec-
14 retary for costs incurred by the Secretary to carry
15 out a conveyance under subsection (a), including
16 survey costs, related to the conveyance. If amounts
17 are collected from the College in advance of the Sec-
18 retary incurring the actual costs, and the amount
19 collected exceeds the costs actually incurred by the
20 Secretary to carry out the conveyance, the Secretary
21 shall refund the excess amount to the College.

22 (2) TREATMENT OF AMOUNTS RECEIVED.—
23 Amounts received under paragraph (1) as reim-
24 bursement for costs incurred by the Secretary con-
25 cerned to carry out a conveyance under subsection

1 (a) shall be credited to the fund or account that was
2 used to cover the costs incurred by the Secretary in
3 carrying out the conveyance. Amounts so credited
4 shall be merged with amounts in such fund or ac-
5 count and shall be available for the same purposes,
6 and subject to the same conditions and limitations,
7 as amounts in such fund or account.

8 (d) DESCRIPTION OF PROPERTY.—The exact acreage
9 and legal description of the real property to be conveyed
10 under subsection (a) shall be determined by surveys satis-
11 factory to the Secretaries concerned.

12 (e) ADDITIONAL TERMS AND CONDITIONS.—The
13 Secretary concerned may require such additional terms
14 and conditions in connection with the conveyances under
15 subsection (a) as the Secretary considers appropriate to
16 protect the interests of the United States.

17 **Subtitle E—Other Matters**

18 **SEC. 2851. RICKENBACKER AIRPORT, COLUMBUS, OHIO.**

19 The project numbered 4651 in section 1702 of the
20 Safe, Accountable, Flexible, Efficient Transportation Eq-
21 uity Act: A Legacy for Users (119 Stat. 1434) is amended
22 by striking “Grading, paving” and all that follows through
23 “Airport” and inserting “Grading, paving, roads, and the
24 transfer of rail-to-truck for the intermodal facility at Rick-
25 enbacker Airport, Columbus, Ohio”.

1 **SEC. 2852. HIGHWAY PROJECTS, DETROIT, MICHIGAN.**

2 (a) HIGH PRIORITY PROJECT.—The table contained
3 in section 1702 of the Safe, Accountable, Flexible, Effi-
4 cient Transportation Equity Act: A Legacy for Users (119
5 Stat. 1256) is amended in the item numbered 4333 (119
6 Stat. 1422) by striking “Plan and construct, land acqui-
7 sition, Detroit West Riverfront Greenway” and inserting
8 “Detroit Riverfront Conservancy, Riverfront walkway,
9 greenway, and adjacent land planning, construction, and
10 land acquisition from Gabriel Richard Park at the Doug-
11 las Mac Arthur Bridge to Riverside Park at the Amba-
12 sador Bridge, Detroit”.

13 (b) TRANSPORTATION IMPROVEMENT PROJECT.—
14 The table contained in section 1934(c) of the Safe, Ac-
15 countable, Flexible, Efficient Transportation Equity Act:
16 A Legacy for Users (119 Stat. 1485) is amended in the
17 item numbered 196 (119 Stat. 1495) by striking “Detroit
18 Riverfront Conservancy, West Riverfront Walkway,
19 Greenway and Adjacent Land Acquisition, from River-
20 front Towers to Ambassador Bridge, Detroit” and insert-
21 ing “Detroit Riverfront Conservancy, Riverfront walkway,
22 greenway, and adjacent land planning, construction, and
23 land acquisition from Gabriel Richard Park at the Doug-
24 las Mac Arthur Bridge to Riverside Park at the Amba-
25 sador Bridge, Detroit”.

1 **SEC. 2853. FOX POINT HURRICANE BARRIER, PROVIDENCE,**
2 **RHODE ISLAND.**

3 (a) DEFINITIONS.—In this section:

4 (1) The term “Barrier” means the Fox Point
5 Hurricane Barrier, Providence, Rhode Island.

6 (2) The term “City” means the city of Provi-
7 dence, Rhode Island.

8 (3) The term “Secretary” means the Secretary
9 of the Army, acting through the Chief of Engineers.

10 (b) RESPONSIBILITY FOR BARRIER.—Not later than
11 2 years after the date of enactment of this Act, the Sec-
12 retary shall assume responsibility for the annual operation
13 and maintenance of the Barrier.

14 (c) REQUIRED STRUCTURES.—

15 (1) IN GENERAL.—The City, in coordination
16 with the Secretary, shall identify any land and struc-
17 tures required for the continued operation and main-
18 tenance, repair, replacement, rehabilitation, and
19 structural integrity of the Barrier.

20 (2) CONVEYANCE.—The City shall convey to
21 the Secretary, by quitclaim deed and without consid-
22 eration, all rights, title, and interests of the City in
23 and to the land and structures identified under
24 paragraph (1).

25 (d) AUTHORIZATION OF APPROPRIATIONS.—There
26 are authorized to be appropriated to the Secretary such

1 funds as are necessary for each fiscal year to operate and
2 maintain the Barrier (including repair, replacement, and
3 rehabilitation).

4 **SEC. 2854. LAND CONVEYANCE, HOPKINTON, NEW HAMP-**
5 **SHIRE.**

6 (a) CONVEYANCE AUTHORIZED.—The Secretary of
7 the Army may convey to the Town of Hopkinton, New
8 Hampshire (in this section referred to as the “Town”),
9 all right, title, and interest of the United States in and
10 to a parcel of real property, including any improvements
11 thereon, consisting of approximately 90 acres located at
12 a site in Hopkinton, New Hampshire, known as the “Kast
13 Hill” property for the purpose of permitting the Town to
14 use the existing sand and gravel resources on the property
15 and to ensure perpetual conservation of the property.

16 (b) CONSIDERATION.—

17 (1) IN GENERAL.—As consideration for the con-
18 veyance under subsection (a), the Town shall, sub-
19 ject to paragraph (2), provide to the United States,
20 whether by cash payment, in-kind consideration, or
21 a combination thereof, an amount that is not less
22 than the fair market value of the conveyed property,
23 as determined pursuant to an appraisal acceptable
24 to the Secretary.

1 (2) WAIVER OF PAYMENT OF CONSIDER-
2 ATION.—The Secretary may waive the requirement
3 for consideration under paragraph (1) if the Sec-
4 retary determines that the Town will not use the ex-
5 isting sand and gravel resources to generate revenue.

6 (c) REVERSIONARY INTEREST.—If the Secretary de-
7 termines at any time that the real property conveyed
8 under subsection (a) is not being used in accordance with
9 the purpose of the conveyance specified in such subsection,
10 all right, title, and interest in and to all or any portion
11 of the property shall revert, at the option of the Secretary,
12 to the United States, and the United States shall have
13 the right of immediate entry onto the property. Any deter-
14 mination of the Secretary under this subsection shall be
15 made on the record after an opportunity for a hearing.

16 (d) PROHIBITION ON RECONVEYANCE OF LAND.—
17 The Town may not reconvey any of the land acquired from
18 the United States under subsection (a) without the prior
19 approval of the Secretary.

20 (e) PAYMENT OF COSTS OF CONVEYANCE.—

21 (1) PAYMENT REQUIRED.—The Secretary shall
22 require the Town to cover costs to be incurred by
23 the Secretary, or to reimburse the Secretary for
24 costs incurred by the Secretary, to carry out the
25 conveyance under subsection (a), including survey

1 costs, costs related to environmental documentation,
2 and other administrative costs related to the convey-
3 ance. If amounts are collected from the Town in ad-
4 vance of the Secretary incurring the actual costs,
5 and the amount collected exceeds the costs actually
6 incurred by the Secretary to carry out the convey-
7 ance, the Secretary shall refund the excess amount
8 to the Town.

9 (2) TREATMENT OF AMOUNTS RECEIVED.—
10 Amounts received as reimbursement under para-
11 graph (1) shall be credited to the fund or account
12 that was used to cover the costs incurred by the Sec-
13 retary in carrying out the conveyance. Amounts so
14 credited shall be merged with amounts in such fund
15 or account and shall be available for the same pur-
16 poses, and subject to the same conditions and limita-
17 tions, as amounts in such fund or account.

18 (f) DESCRIPTION OF PROPERTY.—The exact acreage
19 and legal description of the real property to be conveyed
20 under subsection (a) shall be determined by a survey satis-
21 factory to the Secretary.

22 (g) ADDITIONAL TERMS AND CONDITIONS.—The
23 Secretary may require such additional terms and condi-
24 tions in connection with the conveyance of real property

1 under subsection (a) as the Secretary consider appropriate
2 to protect the interests of the United States.

3 **SEC. 2855. FEDERAL FUNDING FOR FIXED GUIDEWAY**
4 **PROJECTS.**

5 The Federal Transit Administration's Dear Colleague
6 letter dated April 29, 2005 (C-05-05), which requires
7 fixed guideway projects to achieve a "medium" cost-effec-
8 tiveness rating for the Federal Transit Administration to
9 recommend such projects for funding, shall not apply to
10 the Northstar Corridor Commuter Rail Project in Min-
11 nesota.

Passed the Senate June 22, 2006.

Attest:

Secretary.

109TH CONGRESS
2^D SESSION

S. 2768

AN ACT

To authorize appropriations for fiscal year 2007 for military construction, and for other purposes.