

107TH CONGRESS
2^D SESSION

H. R. 4546

To authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, and for military construction, to prescribe military personnel strengths for fiscal year 2003, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2002

Mr. STUMP (for himself and Mr. SKELTON) (both by request) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To authorize appropriations for fiscal year 2003 for military activities of the Department of Defense, and for military construction, to prescribe military personnel strengths for fiscal year 2003, 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 “National Defense Au-
5 thorization Act for Fiscal Year 2003”.

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

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

Sec. 1. Short title.

Sec. 2. Table of contents.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

- Sec. 101. Army.
- Sec. 102. Navy and Marine Corps.
- Sec. 103. Air Force.
- Sec. 104. Defense-wide activities.
- Sec. 105. Defense Inspector General.
- Sec. 106. Defense Health Program.

Subtitle B—Multi-Year Contract Authorizations

- Sec. 111. Multiyear procurement authority for F/A-18E/F engines.
- Sec. 112. Multiyear procurement authority for the C-130J aircraft.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

- Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

- Sec. 211. Cost limitations applicable to F-22 aircraft program.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

- Sec. 301. Operation and maintenance funding.
- Sec. 302. Working capital funds.
- Sec. 303. Armed Forces Retirement Home.

Subtitle B—Depot Issues

- Sec. 311. Repeal of time limitation of exclusion of expenditures on contracting for depot-level maintenance.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

- Sec. 401. End strengths for active forces.
- Sec. 402. Exclusions from limitation of active duty officers in grades above major general.
- Sec. 403. Extension of authorities relating to management of general officers.

Subtitle B—Reserve Forces

- Sec. 411. End strengths for selected reserve.
- Sec. 412. End strengths for reserve on active duty in support of the reserves.
- Sec. 413. End strengths for military technicians (dual status).
- Sec. 414. Fiscal year 2003 limitation on number of non-dual status technicians.
- Sec. 415. Increase strength and grade ceilings to account for reserve component members on active duty in support of a contingency operation.

TITLE V—MILITARY PERSONNEL POLICY

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Sec. 501. Establish additional deputy commandant billet.

Subtitle B—Reserve Component Personnel Policy

- Sec. 511. Authority for limited extension of medical deferment of mandatory retirement or separation for reserve officers.
- Sec. 512. Definition for weapon of mass destruction.
- Sec. 513. Expansion of reserve component delayed training program.

Subtitle C—Military Spouses and Family Members

- Sec. 521. Prohibiting payments of retired pay from members on active duty.
- Sec. 522. Revocation of “ten-year rule” for direct payment of retired pay.
- Sec. 523. Increases for divisions of retired pay expressed as a dollar amount.
- Sec. 524. Allowing member to submit application for direct payment.
- Sec. 525. Allow member to waive notice and provide court order upon request.

Subtitle D—Military Justice Matters

Sec. 531. Courts-martial for the National Guard when not in Federal service.

Subtitle E—Other Matters

- Sec. 541. Vehicle storage in lieu of transportation when member is ordered to non-foreign duty station outside continental United States.
- Sec. 542. Administrative support and services for foreign liaison officers.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

- Sec. 601. Increase in basic pay for fiscal year 2003.
- Sec. 602. Increase basic allowance for subsistence for members forced to purchase meals outside messing facilities.
- Sec. 603. Extension of basic housing allowance for low cost or no cost moves to moves outside the United States.

Subtitle B—Bonuses and Special and Incentive Pays

- Sec. 611. Extension of authorities relating to payment of other bonuses and special pays.
- Sec. 612. Extension of certain bonus and special pay authorities for nurse officer candidates, registered nurses, nurse anesthetists, and dental officers.
- Sec. 613. One-year extension of certain bonus and special pay authorities for reserve forces.
- Sec. 614. Increase prior service enlistment bonus.
- Sec. 615. Authorize payment of distribution incentive pay.

Subtitle C—Travel and Transportation Allowances

- Sec. 621. Equitable compensation support for military funeral honors.
- Sec. 622. Expansion of overseas tour extension benefits.
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- Sec. 633. Survivor benefit plan; multiple beneficiaries.
- Sec. 634. Survivor benefit plan; presumptive proportionate share.
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Subtitle E—Other Matters

- Sec. 641. Repeal of limited exemption from ban on honoraria for personnel at certain Department of Defense schools.

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- Sec. 702. Dependent dental care enhancements.

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- Sec. 801. Live-fire waiver authority.
- Sec. 802. Repeal of certification of funding for support costs in the future years defense program.
- Sec. 803. Authority to waive domestic source or content requirements.
- Sec. 804. Purchase of dinitrogen tetroxide, hydrazine, and hydrazine-related products.

Subtitle B—Use of Preferred Sources

- Sec. 811. Eligibility of HUBZone small business concerns and small business concerns owned and controlled by service-disabled veterans under the mentor protégé program.

Subtitle C—General Contracting Procedures and Limitations

- Sec. 821. Contracting for security guards.
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- Sec. 1002. Reimbursement for service intelligence support.
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- Sec. 1004. Cross-fiscal year cooperative agreements for environmental purposes.

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- Sec. 1013. Quadrennial defense review.

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- Sec. 1021. Explosives Safety Board.
- Sec. 1022. Authorize Army and Air Force to provide base operating support to Fisher Houses.
- Sec. 1023. Eligibility of intelligence senior-level employees for presidential rank awards.
- Sec. 1024. Amendment to authority for acceptance by Asia-Pacific Center for Security Studies of foreign gifts and donations.

TITLE XI—MATTERS RELATING TO OTHER NATIONS

- Sec. 1101. Expansion of authority to conduct the Arctic Military Environmental Cooperation Program.
- Sec. 1102. Use of Warsaw Initiative funds for travel of officials from partner countries.

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- Sec. 2001. Short title.

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- Sec. 2101. Authorized Army construction and land acquisition projects.
- Sec. 2102. Family housing.
- Sec. 2103. Improvements to military family housing units.
- Sec. 2104. Authorization of appropriations, Army.
- Sec. 2105. Modification of authority to carry out certain fiscal year 2002 projects.
- Sec. 2106. Modification of authority to carry out certain fiscal year 2000 project.
- Sec. 2107. Modification of authority to carry out certain fiscal year 1999 project.
- Sec. 2108. Modification of authority to carry out certain fiscal year 1997 project.

TITLE XXII—NAVY

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
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- Sec. 2204. Authorization of appropriations, Navy.
- Sec. 2205. Modification to carry out certain fiscal year 2002 project.

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- Sec. 2301. Authorized Air Force construction and land acquisition projects.
- Sec. 2302. Family housing.
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- Sec. 2402. Improvements to military family housing units.
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- Sec. 2501. Authorized NATO construction and land acquisition projects.
- Sec. 2502. Authorization of appropriations, NATO.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES.

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AUTHORIZATIONS

- Sec. 2701. Expiration of authorizations and amounts required to be specified by law.
- Sec. 2702. Extension of authorizations of certain fiscal year 2000 projects.
- Sec. 2703. Extension of authorizations of certain fiscal year 1999 projects.
- Sec. 2704. Effective date.

TITLE XXVIII—GENERAL PROVISIONS

Subtitle A—Military Construction and Military Family Housing

- Sec. 2801. Alternative authority for acquisition and improvement of military housing.
- Sec. 2802. Repeal of source requirements for overseas family housing construction.

Subtitle B—Real Property and Facilities Administration

- Sec. 2803. Conveyance of surplus real property for natural resource conservation purposes.
- Sec. 2804. Leasing of military family housing in Korea.
- Sec. 2805. Program on reduction in long-term facility maintenance costs.
- Sec. 2806. Boundary Channel Drive site land acquisition, Arlington, Virginia.

Sec. 2810. Environmental restoration project.

1 **DIVISION A—DEPARTMENT OF**
2 **DEFENSE AUTHORIZATIONS**
3 **TITLE I—PROCUREMENT**
4 **Subtitle A—Authorization of**
5 **Appropriations**

6 **SEC. 101. ARMY.**

7 Funds are hereby authorized to be appropriated for
8 fiscal year 2003 for procurement of the Army as follows:

9 (1) For aircraft, \$2,061,027,000.

10 (2) For missiles, \$1,642,296,000.

11 (3) For weapons and tracked combat vehicles,
12 \$2,248,558,000.

13 (4) For ammunition, \$1,159,426,000.

14 (5) For other procurement, \$5,168,453,000.

15 (6) For chemical agents and munitions destruc-
16 tion, \$1,490,199,000 for—

17 (A) the destruction of lethal chemical
18 weapons in accordance with section 1412 of the
19 Department of Defense Authorization Act,
20 1986 (50 U.S.C. 1521) and

21 (B) the destruction of chemical warfare
22 material of the United States that is not cov-
23 ered by section 1412 of such Act.

1 **SEC. 102. NAVY AND MARINE CORPS.**

2 (a) NAVY.—Funds are hereby authorized to be appro-
3 priated for fiscal year 2003 for procurement for the Navy
4 as follows:

5 (1) For aircraft, \$8,203,955,000.

6 (2) For weapons, including missiles and tor-
7 pedoes, \$1,832,617,000.

8 (3) For shipbuilding and conversion,
9 \$8,191,194,000.

10 (4) For other procurement, \$4,347,024,000.

11 (b) MARINE CORPS.—Funds are hereby authorized to
12 be appropriated for fiscal year 2003 for procurement for
13 the Marine Corps in the amount of \$1,288,383,000.

14 (c) NAVY AND MARINE CORPS AMMUNITION.—Funds
15 are hereby authorized to be appropriated for fiscal year
16 2003 for procurement of ammunition for the Navy and
17 Marine Corps in the amount of \$1,015,153,000.

18 **SEC. 103. AIR FORCE.**

19 Funds are hereby authorized to be appropriated for
20 fiscal year 2003 for procurement for the Air Force as fol-
21 lows:

22 (1) For aircraft, \$12,067,405,000.

23 (2) For missiles, \$3,575,162,000.

24 (3) For procurement of ammunition,
25 \$1,133,864,000.

26 (4) For other procurement, \$10,523,946,000.

1 **SEC. 104. DEFENSE-WIDE ACTIVITIES.**

2 Funds are hereby authorized to be appropriated for
3 fiscal year 2003 for defense-wide procurement in the
4 amount of \$2,688,515,000.

5 **SEC. 105. DEFENSE INSPECTOR GENERAL.**

6 Funds are hereby authorized to be appropriated for
7 fiscal year 2003 for procurement for the Defense Inspec-
8 tor General in the amount of \$2,000,000.

9 **SEC. 106. DEFENSE HEALTH PROGRAM.**

10 Funds are hereby authorized to be appropriated for
11 fiscal year 2003 for the Department of Defense for pro-
12 curement for carrying out health care programs, projects,
13 and activities of the Department of Defense in the total
14 amount of \$278,742,000.

15 **Subtitle B—Multi-Year Contract**
16 **Authorizations**

17 **SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR F/A-**
18 **18E/F E ENGINES.**

19 Beginning with the fiscal year 2003 program year,
20 the Secretary of the Navy may, in accordance with section
21 2306b of title 10, United States Code, enter into a multi-
22 year contract for procurement of engines for F/A-18E/
23 F aircraft.

1 **SEC. 112. MULTIYEAR PROCUREMENT AUTHORITY FOR C-**
2 **130J AIRCRAFT.**

3 Beginning with the fiscal year 2003 program year,
4 the Secretary of the Air Force may, in accordance with
5 section 2306b of title 10, United States Code, enter into
6 a multi-year contract for procurement of C-130J aircraft.

7 **TITLE II—RESEARCH, DEVELOP-**
8 **MENT, TEST, AND EVALUA-**
9 **TION**

10 **Subtitle A—Authorization of**
11 **Appropriations**

12 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS**

13 Funds are hereby authorized to be appropriated for
14 fiscal year 2003 for the use of the Armed Forces for re-
15 search, development, test, and evaluation, as follows:

16 (1) For the Army, \$6,918,494,000.

17 (2) For the Navy, \$12,501,630,000.

18 (3) For the Air Force, \$17,601,233,000.

19 (4) For Defense-wide research, development,
20 test, and evaluation, \$16,835,605,000, of which
21 \$222,054,000 is authorized for the Director of Oper-
22 ational Test and Evaluation.

23 (5) For the Defense Health Program,
24 \$67,214,000.

1 **Subtitle B—Program Require-**
2 **ments, Restrictions, and Limita-**
3 **tions**

4 **SEC. 211. COST LIMITATIONS APPLICABLE TO F-22 AIR-**
5 **CRAFT PROGRAM.**

6 (a) 1998 DEFENSE AUTHORIZATION ACT.—Section
7 217 of the National Defense Authorization Act for Fiscal
8 Year 1998 (Public Law 105–85; 111 Stat. 1629) is re-
9 pealed.

10 (b) 2001 DEFENSE APPROPRIATIONS ACT.—Section
11 8125 of the Department of Defense Appropriations Act,
12 2001 (Public Law 106–259; 114 Stat. 692) is repealed;
13 and

14 (c) FLOYD B. SPENCE DEFENSE AUTHORIZATION
15 ACT.—Section 219 of the Floyd B. Spence National De-
16 fense Authorization Act for Fiscal year 2001 (Public Law
17 106–348; 114 Stat. 1654) is repealed.

18 **TITLE III—OPERATION AND**
19 **MAINTENANCE**
20 **Subtitle A—Authorization of**
21 **Appropriations**

22 **SEC. 301. OPERATION AND MAINTENANCE FUNDING.**

23 Funds are hereby authorized to be appropriated for
24 fiscal year 2003 for the use of the Armed Forces of the
25 United States and other activities and agencies of the De-

1 partment of Defense, for expenses, not otherwise provided
2 for, for operation and maintenance, in amounts as follows:

3 (1) For the Army, \$24,581,055,000.

4 (2) For the Navy, \$29,028,813,000.

5 (3) For the Marine Corps, \$3,357,952,000.

6 (4) For the Air Force, \$27,304,623,000.

7 (5) For the Defense-wide activities,
8 \$14,515,304,000.

9 (6) For the Army Reserve, \$1,923,330,000.

10 (7) For the Naval Reserve, \$1,165,961,000.

11 (8) For the Marine Corps Reserve,
12 \$185,532,000.

13 (9) For the Air Force Reserve, \$2,190,817,000.

14 (10) For the Army National Guard,
15 \$4,136,822,000.

16 (11) For the Air National Guard,
17 \$4,150,861,000.

18 (12) For the Defense Inspector General,
19 \$163,440,000.

20 (13) For the United States Court of Appeals
21 for the Armed Forces, \$9,925,000.

22 (14) For Environmental Restoration, Army,
23 \$395,900,000.

24 (15) For Environmental Restoration, Navy,
25 \$256,948,000.

1 (16) For Environmental Restoration, Air Force,
2 \$389,773,000.

3 (17) For Environmental Restoration, Defense-
4 wide, \$23,498,000.

5 (18) For Environmental Restoration, Formerly
6 Used Defense Sites, \$212,102,000.

7 (19) For Overseas Humanitarian, Disaster, and
8 Civic Aid programs, \$58,400,000.

9 (20) For Drug Interdiction and Counter-drug
10 Activities, Defense-wide, \$848,907,000.

11 (21) For the Kaho'olawe Island Conveyance,
12 Remediation, and Environmental Restoration Trust
13 Fund, \$25,000,000.

14 (22) For the Defense Health Program,
15 \$14,360,271,000.

16 (23) For Cooperative Threat Reduction pro-
17 grams, \$416,700,000.

18 (24) For Overseas Contingency Operations
19 Transfer Fund, \$50,000,000.

20 (25) For Defense Emergency Response Funds,
21 \$20,055,000,000.

22 (26) For Support for International Sporting
23 Competitions, Defense, \$19,000,000.

1 **SEC. 302. WORKING CAPITAL FUNDS.**

2 Funds are hereby authorized to be appropriated for
3 fiscal year 2003 for the use of the Armed Forces of the
4 United States and other activities and agencies of the De-
5 partment of Defense for providing capital for working cap-
6 ital and revolving funds in amounts as follows:

7 (1) For the Defense Working Capital Funds,
8 \$2,338,759,000.

9 (2) For the National Defense Sealift Fund,
10 \$934,129,000.

11 **SEC. 303. ARMED FORCES RETIREMENT HOME.**

12 There is hereby authorized to be appropriated for fis-
13 cal year 2003 from the Armed Forces Retirement Home
14 Trust Fund the sum of \$69,921,000 for the operation of
15 the Armed Forces Retirement Home, including the United
16 States Soldiers' and Airmen's Home and the Naval Home.

17 **Subtitle B—Depot Issues**

18 **SEC. 311. REPEAL OF TIME LIMITATION ON EXCLUSION OF**
19 **EXPENDITURES ON CONTRACTING FOR**
20 **DEPOT-LEVEL MAINTENANCE.**

21 Paragraph (2) of section 2474(f) of title 10, United
22 States Code, is amended by striking “for fiscal years 2002
23 through 2005”.

1 **TITLE IV—MILITARY**
2 **PERSONNEL AUTHORIZATIONS**
3 **Subtitle A—Active Forces**

4 **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

5 The Armed Forces are authorized strengths for active
6 duty personnel as of September 30, 2003, as follows:

- 7 (1) The Army, 480,000.
8 (2) The Navy, 375,700.
9 (3) The Marine Corps, 175,000.
10 (4) The Air Force, 359,000.

11 **SEC. 402. EXCLUSION FROM LIMITATION OF ACTIVE DUTY**
12 **OFFICERS IN GRADES ABOVE MAJOR GEN-**
13 **ERAL OR REAR ADMIRAL; SENIOR MILITARY**
14 **ASSISTANT TO THE SECRETARY OF DEFENSE.**

15 Section 525(b) of title 10, United States Code, is
16 amended—

17 (1) in paragraph (2)(B), by striking “16.2 per-
18 cent” and inserting “17.5 percent”;

19 (2) in paragraph (3)—

20 (A) by inserting “(A)” after “(3)”; and

21 (B) by adding at the end the following new
22 subparagraph:

23 “(B) An officer while serving as the Senior
24 Military Assistant to the Secretary of Defense,
25 if serving in the grade of general or lieutenant

1 general, or admiral or vice admiral, is in addi-
2 tion to the number that otherwise would be per-
3 mitted for his armed force for that grade under
4 paragraph (1) or (2).”.

5 **SEC. 403. EXTENSION OF AUTHORITIES RELATING TO MAN-**
6 **AGEMENT OF GENERAL OFFICERS.**

7 (a) SENIOR JOINT OFFICER PROVISIONS.—Section
8 604(c) of title 10, United States Code, is amended by
9 striking “September 30, 2003” and inserting “December
10 31, 2004”.

11 (b) DISTRIBUTION OF OFFICERS ON ACTIVE DUTY
12 IN GENERAL OFFICER AND FLAG OFFICER GRADES.—
13 Section 525(b)(5)(C) of such title is amended by striking
14 “September 30, 2003” and inserting “December 31,
15 2004”.

16 (c) AUTHORIZED STRENGTH LIMITATIONS FOR GEN-
17 ERAL AND FLAG OFFICERS ON ACTIVE DUTY.—Section
18 526(b)(3) of such title is amended by striking “October
19 1, 2002” and inserting “December 31, 2004”.

20 **Subtitle B—Reserve Forces**

21 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

22 (a) IN GENERAL.—The Armed Forces are authorized
23 strengths for Selected Reserve personnel of the reserve
24 components as of September 30, 2003, as follows:

1 (1) The Army National Guard of the United
2 States, 350,000.

3 (2) The Army Reserve, 205,000.

4 (3) The Naval Reserve, 87,800.

5 (4) The Marine Corps Reserve, 39,558.

6 (5) The Air National Guard of the United
7 States, 106,600.

8 (6) The Air Force Reserve, 75,600.

9 (7) The Coast Guard Reserve, 9,000.

10 (b) ADJUSTMENTS.—The end strengths prescribed by
11 subsection (a) for the Selected Reserve of any reserve com-
12 ponent shall be proportionately reduced by—

13 (1) the total authorized strength of units orga-
14 nized to serve as units of the Selected Reserve of
15 such component which are on active duty (other
16 than for training) at the end of the fiscal year, and

17 (2) the total number of individual members not
18 in units organized to serve as units of the Selected
19 Reserve of such component who are on active duty
20 (other than for training or for unsatisfactory partici-
21 pation in training) without their consent at the end
22 of the fiscal year.

23 Wherever such units or such individual members are re-
24 leased from active duty during any fiscal year, the end
25 strength prescribed for such fiscal year for the Selected

1 Reserve of such reserve component shall be increased pro-
2 portionately by the total authorized strengths of such
3 units and by the total number of such individual members.

4 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**
5 **DUTY IN SUPPORT OF THE RESERVES.**

6 Within the end strengths prescribed in section
7 411(a), the reserve components of the Armed Forces are
8 authorized, as of September 30, 2003, the following num-
9 ber of Reserves to be serving on full-time active duty or,
10 in the case of members of the National Guard, full-time
11 National Guard duty for the purpose of organizing, ad-
12 ministering, recruiting, instructing, or training the reserve
13 components:

14 (1) The Army National Guard of the United
15 States, 23,768.

16 (2) The Army Reserve, 13,588.

17 (3) The Naval Reserve, 14,572.

18 (4) The Marine Corps Reserve, 2,261.

19 (5) The Air National Guard of the United
20 States, 11,697.

21 (6) The Air Force Reserve, 1,498.

1 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS**
2 **(DUAL STATUS).**

3 The reserve components of the Army and the Air
4 Force are authorized strengths for military technicians
5 (dual status) as of September 30, 2003, as follows:

6 (1) For the Army Reserve, 6,349.

7 (2) For the Army National Guard of the United
8 States, 23,615.

9 (3) For the Air Force Reserve, 9,911.

10 (4) For the Air National Guard of the United
11 States, 22,495.

12 **SEC. 414. FISCAL YEAR 2003 LIMITATION ON NUMBER OF**
13 **NON-DUAL STATUS TECHNICIANS.**

14 The number of civilian employees who are non-dual
15 status technicians of a reserve component of the Army or
16 Air Force as of September 30, 2003, may not exceed the
17 following:

18 (1) For the Army Reserve, 995.

19 (2) For the Army National Guard of the United
20 States, 1,600.

21 (3) For the Air Force Reserve, 0.

22 (4) For the Air National Guard of the United
23 States, 350.

1 **SEC. 415. INCREASE STRENGTH AND GRADE CEILINGS TO**
2 **ACCOUNT FOR RESERVE COMPONENT MEM-**
3 **BERS ON ACTIVE DUTY IN SUPPORT OF A**
4 **CONTINGENCY OPERATION.**

5 (a) ACTIVE DUTY STRENGTH ACCOUNTING.—Section
6 115(c) of title 10, United States Code, is amended—

7 (1) in paragraph (2), by striking “and” at the
8 end;

9 (2) in paragraph (3), by striking the period and
10 inserting “; and” at the end; and

11 (3) by adding at the end the following new
12 paragraph:

13 “(4) increase the end strength authorized pur-
14 suant to subsection (a)(1)(A) for a fiscal year for
15 any of the armed forces by a number equal to the
16 number of members of the reserve components on
17 active duty under section 12301(d) of this title in
18 support of a contingency operation as defined in sec-
19 tion 101(a)(13) of this title.”.

20 (b) INCREASE IN AUTHORIZED DAILY AVERAGE FOR
21 MEMBERS IN PAY GRADES E-8 AND E-9 ON ACTIVE
22 DUTY UNDER CERTAIN CIRCUMSTANCES.—Section 517
23 of such title is amended by adding at the end the following
24 new paragraph:

25 “(d) The Secretary of Defense may increase the au-
26 thorized daily average number of enlisted members on ac-

1 tive duty in an armed force in pay grades E-8 and
2 E-9 in a fiscal year pursuant to subsection (a) by the
3 number of enlisted members of a reserve component in
4 that armed force in pay grades E-8 and E-9 on active
5 duty under section 12301(d) of this title in support of a
6 contingency operation as defined in section 101(a)(13) of
7 this title.”.

8 (c) INCREASE IN AUTHORIZED STRENGTHS FOR
9 COMMISSIONED OFFICERS IN PAY GRADES O-4, O-5 AND
10 O-6 ON ACTIVE DUTY UNDER CERTAIN CIR-
11 CUMSTANCES.—Section 523 of such title is amended—

12 (1) in paragraphs (a)(1) and (a)(2), by striking
13 “subsection (c)” and inserting “subsections (c) and
14 (e)”; and

15 (2) by adding at the end the following new sub-
16 section:

17 “(e) The Secretary of Defense may increase the au-
18 thorized total number of commissioned officers serving on
19 active duty at the end of any fiscal year pursuant to sub-
20 section (a) by the number of commissioned officers of a
21 reserve component of the Army, Navy, Air Force, or Ma-
22 rine Corps on active duty under section 12301(d) of this
23 title in support of a contingency operation as defined in
24 section 101(a)13) of this title.”.

1 (d) INCREASE IN AUTHORIZED STRENGTHS FOR
2 GENERAL AND FLAG OFFICERS ON ACTIVE DUTY UNDER
3 CERTAIN CIRCUMSTANCES.—Section 526(a) of such title
4 is amended—

5 (1) by striking “the” the first time it appears;

6 (2) by inserting “(1) Except as provided in
7 paragraph (2), the” after “Limitations.—”;

8 (3) by redesignating paragraphs (1), (2), (3)
9 and (4) as subparagraphs (A), (B), (C) and (D), re-
10 spectively; and

11 (4) by inserting after paragraph (1) the fol-
12 lowing new paragraph (2):

13 “(2) The Secretary of Defense may increase the
14 number of general and flag officers on active duty
15 pursuant to paragraph (1) by the number of reserve
16 component general and flag officers on active duty
17 under section 12301(d) of this title in support of a
18 contingency operation as defined in section
19 101(a)(13) of this title.”.

1 **TITLE V—MILITARY PERSONNEL**
2 **POLICY**

3 **Subtitle A—Officer Personnel**
4 **Policy**

5 **SEC. 501. ESTABLISH ADDITIONAL DEPUTY COMMANDANT**
6 **BILLET.**

7 Section 5045 of title 10, United States Code, is
8 amended by striking “five” and inserting “six”.

9 **Subtitle B—Reserve Component**
10 **Personnel Policy**

11 **SEC. 511. AUTHORITY FOR LIMITED EXTENSION OF MED-**
12 **ICAL DEFERMENT OF MANDATORY RETIRE-**
13 **MENT OR SEPARATION FOR RESERVE OFFI-**
14 **CERS.**

15 (a) DEFERMENT OF RETIREMENT OR SEPARATION
16 FOR MEDICAL REASONS.—Chapter 1407 of title 10,
17 United States Code, is amended by adding at the end the
18 following new section:

19 **“§ 14519. Deferment of retirement or separation for**
20 **medical reasons**

21 “(a) If the Secretary of the military department con-
22 cerned determines that the evaluation of the physical con-
23 dition of an officer and determination of the officer’s enti-
24 tlement to retirement or separation for physical disability
25 require hospitalization or medical observation and that

1 such hospitalization or medical observation cannot be com-
2 pleted with confidence in a manner consistent with the
3 member's well being before the date on which the officer
4 would otherwise be required to separate, retire, or transfer
5 to the retired reserve under this title, the Secretary may
6 defer the separation or retirement or transfer of the officer
7 under this title.

8 “(b) A deferral of separation, retirement or transfer
9 under subsection (a) may not extend for more than 30
10 days after completion of the evaluation requiring hos-
11 pitalization or medical observation.”.

12 (b) CLERICAL AMENDMENT.—The table of sections
13 at the beginning of such chapter is amended by adding
14 at the end the following new item:

“14519. Deferment of retirement or separation for medical reasons.”.

15 **SEC. 512. CHANGE DEFINITION OF WEAPON OF MASS DE-**
16 **STRUCTION.**

17 (a) SELECTED RESERVE AND INDIVIDUAL READY
18 RESERVE SUPPORT FOR RESPONSES TO CERTAIN EMER-
19 GENCIES.—Section 12304(i)(2) of title 10, United States
20 Code, is amended by striking “section 1403 of the Defense
21 Against Weapons of Mass Destruction Act of 1996 (50
22 U.S.C. 2302(1))” and inserting “section 2332a(c)(2) of
23 title 18”.

24 (b) RESERVE AND NATIONAL GUARD DUTIES RE-
25 LATING TO DEFENSE AGAINST WEAPONS OF MASS DE-

1 STRUCTION.—Section 12310(c)(1) of such title is amend-
2 ed by striking “section 1403 of the Defense Against
3 Weapons of Mass Destruction Act of 1996 (50 U.S.C.
4 2302(1))” and inserting “section 2332a(c)(2) of title 18”.

5 **SEC. 513. EXPANSION OF RESERVE COMPONENT DELAYED**
6 **TRAINING PROGRAM.**

7 Section 12103(d) of title 10, United States Code, is
8 amended by striking “270 days” and inserting “one year”.

9 **Subtitle C—Military Spouses and**
10 **Survivor Benefit Plan Matters**

11 **SEC. 521. PROHIBITING PAYMENTS OF RETIRED PAY FROM**
12 **MEMBERS ON ACTIVE DUTY.**

13 Paragraph (3) of section 1408(c) of title 10, United
14 States Code, is amended by adding at the end the fol-
15 lowing new sentence: “With respect to any divorce, dis-
16 solution of marriage, annulment, or legal separation, re-
17 gardless of when the divorce, dissolution of marriage, an-
18 nulment, or legal separation took or takes effect, a court
19 shall not order a member on active duty, while the member
20 remains on active duty, to make a payment to a spouse
21 or former spouse when such payment is attributable to the
22 treatment of disposable retired pay as the property of the
23 member and member’s spouse.”.

1 **SEC. 522. REVOCATION OF “TEN-YEAR RULE” FOR DIRECT**
2 **PAYMENT OF RETIRED PAY.**

3 (a) REVOCATION OF TEN-YEAR RULE.—Section
4 1408(d) of title 10, United States Code, is amended—

5 (1) by striking paragraph (2); and

6 (2) by redesignating paragraphs (3) through
7 (7) as paragraphs (2) through (6), respectively.

8 (b) EFFECTIVE DATE.—The amendments made by
9 this section shall take effect on the first day of the first
10 month which begins more than 120 days after the date
11 of enactment of this Act and shall apply only to payments
12 of retired pay for periods beginning on or after the effec-
13 tive date of this section in the case of any former spouse
14 of a member or former member of the uniformed services.

15 **SEC. 523. INCREASES FOR DIVISIONS OF RETIRED PAY EX-**
16 **PRESSED AS A DOLLAR AMOUNT.**

17 (a) MONETARY AMOUNT ADJUSTMENT.—Section
18 1408(a)(2)(C) of title 10, United States Code, is amended
19 by striking “expressed in dollars” and inserting “ex-
20 pressed as a specific dollar amount, with such amount,
21 if so ordered, being adjusted in the same manner and at
22 the same time as retired pay is adjusted to reflect changes
23 in the Consumer Price Index under section 1401a of this
24 title.”.

25 (b) EFFECTIVE DATE.—The amendment made by
26 subsection (a) shall apply with respect to court orders that

1 become effective after the end of the 90-day period begin-
2 ning on the date of enactment of this Act.

3 **SEC. 524. ALLOWING MEMBER TO SUBMIT APPLICATION**
4 **FOR DIRECT PAYMENT.**

5 (a) PERMIT APPLICATION FOR DIRECT PAYMENT BY
6 MEMBER.—The first sentence of paragraph (1) of section
7 1408(d) of title 10, United States Code, is amended by
8 inserting “by a member or former member or the spouse
9 or former spouse of such member” after “the Secretary
10 concerned”.

11 (b) CONDITIONS FOR DIRECT PAYMENT.—Section
12 1408(d) of such title is amended by adding at the end
13 the following new paragraph:

14 “(8) A former spouse who accepts payment
15 shall be deemed—

16 “(A) to have consented and agreed to the
17 recovery of any future overpayments, including
18 recovery by involuntary collection from the
19 former spouse or his or her estate; and

20 “(B) to have agreed to give prompt notice
21 in writing to the Secretary if—

22 “(i) the operative court order upon
23 which payment is based is vacated, modi-
24 fied, or set aside;

1 “(ii) the former spouse remarries, if
2 all or a part of the payment is for alimony;

3 or

4 “(iii) the former spouse is ineligible
5 for child support payments due to the
6 death, emancipation, adoption, or attain-
7 ment of a child whose support is provided
8 through direct payment to a former spouse
9 from retired pay.”.

10 (c) EFFECTIVE DATE.—The amendments made by
11 this section shall apply to applications for direct payment
12 of retired pay submitted to the Secretary concerned after
13 the end of the 90-day period beginning on the date of en-
14 actment of this Act.

15 **SEC. 525. ALLOW MEMBER TO WAIVE NOTICE AND PROVIDE**
16 **COURT ORDER UPON REQUEST.**

17 (a) ALLOW MEMBER TO WAIVE NOTICE AND PRO-
18 VIDE COURT ORDER UPON REQUEST.—Section 1408(g)
19 of title 10, United States Code, is amended—

20 (1) by striking “A person” and inserting “Un-
21 less notice is waived by the member, a person”; and

22 (2) by striking “(together with a copy of such
23 order)” and inserting “and, upon request, a copy of
24 such order”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to court orders received by the Sec-
3 retary concerned after the end of the 90-day period begin-
4 ning on the date of enactment of this Act.

5 **Subtitle D—Military Justice**
6 **Matters**

7 **SEC. 531. COURTS-MARTIAL FOR THE NATIONAL GUARD**
8 **WHEN NOT IN FEDERAL SERVICE.**

9 (a) COMPOSITION, JURISDICTION, AND PROCE-
10 DURES.—Section 326 of title 32, United States Code, is
11 amended by striking the second sentence and inserting the
12 following: “They may have the jurisdiction, powers, and
13 forms and procedures provided for those courts. Punish-
14 ments shall be as provided by the laws of the respective
15 states, territories, Puerto Rico, or the District of Colum-
16 bia”.

17 (b) GENERAL COURTS-MARTIAL OF NATIONAL
18 GUARD NOT IN FEDERAL SERVICE.—Section 327 of title
19 32, United States Code, is amended by striking sub-
20 sections (a) and (b) in their entirety and inserting the fol-
21 lowing:

22 “In the National Guard not in Federal service, gen-
23 eral, special, and summary courts-martial may be con-
24 vened as provided by the laws of the respective states, ter-
25 ritories, Puerto Rico, or the District of Columbia. General

1 courts-martial for the National Guard not in Federal serv-
2 ice may also be convened by the President. Special courts-
3 martial for the National Guard not in Federal service may
4 also be convened by the commanding officer of a garrison,
5 fort, post, camp, air base, auxiliary air base, or other place
6 where troops are on duty, or of a regiment, wing, group,
7 detached battalion, separate squadron, or other detached
8 command. Summary courts-martial for the National
9 Guard not in Federal service may also be convened by the
10 commanding officer of a garrison, fort, post, camp, air
11 base, auxiliary air base, or other place where troops are
12 on duty, or of a regiment, wing, group, detached battalion,
13 detached squadron, detached company, or other detach-
14 ment.”.

15 (c) CONFORMING AMENDMENTS.—

16 (1) Sections 328, 329, 330, 331, 332, and 333,
17 of title 32, United States Code, are repealed.

18 (2) The table of sections at the beginning of
19 chapter 3 of such title is amended by striking the
20 items relating to sections 328, 329, 330, 331, 332,
21 and 333.

1 **Subtitle E—Other Matters**

2 **SEC. 541. VEHICLE STORAGE IN LIEU OF TRANSPORTATION**
3 **WHEN MEMBER IS ORDERED TO NON-FOR-**
4 **EIGN DUTY STATION OUTSIDE CONTINENTAL**
5 **UNITED STATES.**

6 Section 2634 of title 10, United States Code, is
7 amended—

8 (1) in subsection (b)(1)—

9 (A) by inserting after “to a foreign coun-
10 try” the following: “or to a non-foreign area
11 outside the continental United States”; and

12 (B) by inserting after “into that country”
13 the following: “or area”; and

14 (2) in subsection (h), by adding at the end the
15 following new paragraph:

16 “(3) The term ‘non-foreign area outside the
17 continental United States’ means the States of Alas-
18 ka and Hawaii, the Commonwealths of Puerto Rico
19 and the Northern Mariana Islands, Guam, and other
20 territories and possessions of the United States.”.

21 **SEC. 542. ADMINISTRATIVE SUPPORT AND SERVICES FOR**
22 **FOREIGN LIAISON OFFICERS.**

23 (a) ESTABLISHMENT.—Subchapter II of chapter 138
24 of title 10, United States Code, is amended by adding at
25 the end the following new section:

1 **“§ 23501. Administrative services and support for for-**
 2 **eign liaison officers**

3 “(a) AUTHORITY.—The Secretary of Defense may
 4 provide administrative services and support to foreign liai-
 5 son officers performing duties while such officers tempo-
 6 rarily are assigned to components or commands of the
 7 United States Armed Forces. For purposes of this section,
 8 the term ‘administrative services and support’ includes
 9 base or installation operation support services, office
 10 space, utilities, copying services, fire and police protection,
 11 and computer support.

12 “(b) REIMBURSEMENT.—The Secretary of Defense
 13 may provide the services and support authorized under
 14 subsection (a) with or without reimbursement as the Sec-
 15 retary of Defense deems appropriate.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
 17 at the beginning of such subchapter II of chapter 138 is
 18 amended by adding at the end the following new item:

“23501. Administrative services and support for foreign liaison officers.”.

19 **TITLE VI—COMPENSATION**

20 **Subtitle A—Pay and Allowances**

21 **SEC. 601. INCREASE IN BASIC PAY FOR FISCAL YEAR 2003.**

22 (a) WAIVER OF SECTION 1009 ADJUSTMENT.—The
 23 adjustment to become effective during fiscal year 2003 re-
 24 quired by section 1009 of title 37, United States Code,

1 in the rates of monthly basic pay authorized members of
 2 the uniformed services shall not be made.

3 (b) INCREASE IN BASIC PAY.—Effective on January
 4 1, 2003, the rates of monthly basic pay for members of
 5 the uniformed services within each pay grade are as fol-
 6 lows:

COMMISSIONED OFFICERS¹

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
O-10 ²	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
O-9 ...	0.00	0.00	0.00	0.00	0.00
O-8 ...	7,474.50	7,719.30	7,881.60	7,927.20	8,129.40
O-7 ...	6,210.90	6,499.20	6,633.00	6,739.20	6,930.90
O-6 ...	4,603.20	5,057.10	5,388.90	5,388.90	5,409.60
O-5 ...	3,837.60	4,323.00	4,622.40	4,678.50	4,864.80
O-4 ...	3,311.10	3,832.80	4,088.70	4,145.70	4,383.00
O-3 ³	2,911.20	3,300.30	3,562.20	3,883.50	4,069.50
O-2 ³	2,515.20	2,864.70	3,299.40	3,410.70	3,481.20
O-1 ³	2,183.70	2,272.50	2,746.80	2,746.80	2,746.80
	Over 8	Over 10	Over 12	Over 14	Over 16
O-10 ²	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
O-9 ...	0.00	0.00	0.00	0.00	0.00
O-8 ...	8,468.70	8,547.30	8,868.90	8,961.30	9,238.20
O-7 ...	7,120.80	7,340.40	7,559.40	7,779.00	8,468.70
O-6 ...	5,641.20	5,672.10	5,672.10	5,994.60	6,564.30
O-5 ...	4,977.00	5,222.70	5,403.00	5,635.50	5,991.90
O-4 ...	4,637.70	4,954.50	5,201.40	5,372.70	5,471.10
O-3 ³	4,273.50	4,405.80	4,623.30	4,736.10	4,736.10
O-2 ³	3,481.20	3,481.20	3,481.20	3,481.20	3,481.20
O-1 ³	2,746.80	2,746.80	2,746.80	2,746.80	2,746.80
	Over 18	Over 20	Over 22	Over 24	Over 26
O-10 ²	\$0.00	\$12,077.70	\$12,137.10	\$12,389.40	\$12,829.20
O-9 ...	0.00	10,563.60	10,715.70	10,935.60	11,319.60
O-8 ...	9,639.00	10,008.90	10,255.80	10,255.80	10,255.80
O-7 ...	9,051.30	9,051.30	9,051.30	9,051.30	9,096.90
O-6 ...	6,898.80	7,233.30	7,423.50	7,616.10	7,989.90
O-5 ...	6,161.70	6,329.10	6,519.60	6,519.60	6,519.60
O-4 ...	5,528.40	5,528.40	5,528.40	5,528.40	5,528.40
O-3 ³	4,736.10	4,736.10	4,736.10	4,736.10	4,736.10
O-2 ³	3,481.20	3,481.20	3,481.20	3,481.20	3,481.20
O-1 ³	2,746.80	2,746.80	2,746.80	2,746.80	2,746.80

¹Notwithstanding the basic pay rates specified in this table, the actual rate of basic pay for commissioned officers in pay grades O-7 through O-10 may not exceed the rate of pay for level III of the Executive Schedule and the actual rate of basic pay for all other officers may not exceed the rate of pay for level V of the Executive Schedule.

²Subject to the preceding footnote, while serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, the rate of basic pay for this grade is \$14,155.50, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

³This table does not apply to commissioned officers in pay grade O-1, O-2, or O-3 who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

COMMISSIONED OFFICERS WITH OVER 4 YEARS OF ACTIVE DUTY SERVICE
AS AN ENLISTED MEMBER OR WARRANT OFFICER

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
O-3E	\$0.00	\$0.00	\$0.00	\$3,883.50	\$4,069.50
O-2E	0.00	0.00	0.00	3,410.70	3,481.20
O-1E	0.00	0.00	0.00	2,746.80	2,933.70
	Over 8	Over 10	Over 12	Over 14	Over 16
O-3E	\$4,273.50	\$4,405.80	\$4,623.30	\$4,806.30	\$4,911.00
O-2E	3,591.90	3,778.80	3,923.40	4,031.10	4,031.10
O-1E	3,042.00	3,152.70	3,261.60	3,410.70	3,410.70
	Over 18	Over 20	Over 22	Over 24	Over 26
O-3E	\$5,054.40	\$5,054.40	\$5,054.40	\$5,054.40	\$5,054.40
O-2E	4,031.10	4,031.10	4,031.10	4,031.10	4,031.10
O-1E	3,410.70	3,410.70	3,410.70	3,410.70	3,410.70

WARRANT OFFICERS ¹

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
W-5 ..	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
W-4 ..	3,008.10	3,236.10	3,329.10	3,420.60	3,578.10
W-3 ..	2,747.10	2,862.00	2,979.30	3,017.70	3,141.00
W-2 ..	2,416.50	2,554.50	2,675.10	2,763.00	2,838.30
W-1 ..	2,133.90	2,308.50	2,425.50	2,501.10	2,662.50
	Over 8	Over 10	Over 12	Over 14	Over 16
W-5 ..	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
W-4 ..	3,733.50	3,891.00	4,044.60	4,203.60	4,356.00
W-3 ..	3,281.70	3,467.40	3,580.50	3,771.90	3,915.60
W-2 ..	2,993.10	3,148.50	3,264.00	3,376.50	3,453.90
W-1 ..	2,782.20	2,888.40	3,006.90	3,085.20	3,203.40
	Over 18	Over 20	Over 22	Over 24	Over 26
W-5 ..	\$0.00	\$5,169.30	\$5,346.60	\$5,524.50	\$5,703.30
W-4 ..	4,512.00	4,664.40	4,822.50	4,978.20	5,137.50
W-3 ..	4,058.40	4,201.50	4,266.30	4,407.00	4,548.00
W-2 ..	3,579.90	3,705.90	3,831.00	3,957.30	3,957.30
W-1 ..	3,320.70	3,409.50	3,409.50	3,409.50	3,409.50

¹ Notwithstanding the basic pay rates specified in this table, the actual rate of basic pay for warrant officers may not exceed the rate of pay for level V of the Executive Schedule.

ENLISTED MEMBERS ¹

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
E-9 ²	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
E-8 ...	0.00	0.00	0.00	0.00	0.00
E-7 ...	2,068.50	2,257.80	2,343.90	2,428.20	2,516.40
E-6 ...	1,770.60	1,947.60	2,033.70	2,117.10	2,204.10
E-5 ...	1,625.40	1,733.70	1,817.40	1,903.50	2,037.00
E-4 ...	1,502.70	1,579.80	1,665.30	1,749.30	1,824.00
E-3 ...	1,356.90	1,442.10	1,528.80	1,528.80	1,528.80

ENLISTED MEMBERS¹—Continued

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
E-2 ...	1,290.00	1,290.00	1,290.00	1,290.00	1,290.00
E-1 ...	³ 1,150.80	1,150.80	1,150.80	1,150.80	1,150.80
	Over 8	Over 10	Over 12	Over 14	Over 16
E-9 ²	\$0.00	\$3,564.30	\$3,645.00	\$3,747.00	\$3,867.00
E-8 ...	2,975.40	3,061.20	3,141.30	3,237.60	3,342.00
E-7 ...	2,667.90	2,753.40	2,838.30	2,990.40	3,066.30
E-6 ...	2,400.90	2,477.40	2,562.30	2,636.70	2,663.10
E-5 ...	2,151.90	2,236.80	2,283.30	2,283.30	2,283.30
E-4 ...	1,824.00	1,824.00	1,824.00	1,824.00	1,824.00
E-3 ...	1,528.80	1,528.80	1,528.80	1,528.80	1,528.80
E-2 ...	1,290.00	1,290.00	1,290.00	1,290.00	1,290.00
E-1 ...	1,150.80	1,150.80	1,150.80	1,150.80	1,150.80
	Over 18	Over 20	Over 22	Over 24	Over 26
E-9 ²	\$3,987.30	\$4,180.80	\$4,344.30	\$4,506.30	\$4,757.40
E-8 ...	3,530.10	3,625.50	3,787.50	3,877.50	4,099.20
E-7 ...	3,138.60	3,182.70	3,331.50	3,427.80	3,671.40
E-6 ...	2,709.60	2,709.60	2,709.60	2,709.60	2,709.60
E-5 ...	2,283.30	2,283.30	2,283.30	2,283.30	2,283.30
E-4 ...	1,824.00	1,824.00	1,824.00	1,824.00	1,824.00
E-3 ...	1,528.80	1,528.80	1,528.80	1,528.80	1,528.80
E-2 ...	1,290.00	1,290.00	1,290.00	1,290.00	1,290.00
E-1 ...	1,150.80	1,150.80	1,150.80	1,150.80	1,150.80

¹Notwithstanding the basic pay rates specified in this table, the actual rate of basic pay for enlisted members may not exceed the rate of pay for level V of the Executive Schedule.

²Subject to the preceding footnote, while serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, or Master Chief Petty Officer of the Coast Guard, basic pay for this grade is \$5,732.70, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

³In the case of members in pay grade E-1 who have served less than 4 months on active duty, the rate of basic pay is \$1,064.70.

1 SEC. 602. INCREASE BASIC ALLOWANCE FOR SUBSISTENCE
2 FOR MEMBERS FORCED TO PURCHASE
3 MEALS OUTSIDE MESSING FACILITY.

4 Section 402(d) of title 37, United States Code, is
5 amended to read as follows:

6 “(d) SPECIAL RULE FOR CERTAIN ENLISTED MEM-
7 BERS.—The Secretary of Defense, and the Secretary of
8 Transportation with respect to the Coast Guard when it
9 is not operating as a service in the Navy, may prescribe
10 a basic allowance for subsistence rate twice the amount

1 prescribed in paragraph (b)(2) for an enlisted member as-
2 signed to single Government quarters when—

3 “(1) the Government messing facility that
4 serves the single Government quarters to which the
5 member is assigned is not able to make meals avail-
6 able to the member, and

7 “(2) there are no adequate food storage or
8 preparation facilities in the single Government quar-
9 ters.”.

10 **SEC. 603. EXTENSION OF BASIC HOUSING ALLOWANCE FOR**
11 **LOW COST OR NO COST MOVES TO MOVES**
12 **OUTSIDE THE UNITED STATES.**

13 Section 403 of title 37, United States Code, is
14 amended—

15 (1) by striking subsection (b)(7);

16 (2) by redesignating subsections (d) through
17 (n) as subsections (e) through (o), respectively; and

18 (3) by inserting after subsection (c) the fol-
19 lowing new subsection (d):

20 “(d) **LOW-COST OR NO-COST MOVES.**—In the case
21 of a member who is assigned to duty, the location or the
22 circumstances of which make it necessary that the member
23 be reassigned under the conditions of low-cost or no-cost
24 permanent change of station or permanent change of as-
25 signment, the member may be treated as if the member

1 were not reassigned if the Secretary concerned determines
2 that it would be inequitable to base the member's entitle-
3 ment to, and amount of, a basic allowance for housing on
4 the cost of housing in the area to which the member is
5 reassigned.”.

6 **Subtitle B—Bonuses and Special**
7 **and Incentive Pays**

8 **SEC. 611. EXTENSION OF AUTHORITIES RELATING TO PAY-**
9 **MENT OF OTHER BONUSES AND SPECIAL**
10 **PAYS.**

11 (a) AVIATION OFFICER RETENTION BONUS.—Sec-
12 tion 301b(a) of title 37, United States Code, is amended
13 by striking “December 31, 2002” and inserting “Sep-
14 tember 30, 2004”.

15 (b) REENLISTMENT BONUS FOR ACTIVE MEM-
16 BERS.—Section 308(g) of title 37, United States Code, is
17 amended by striking “December 31, 2002” and inserting
18 “September 30, 2004”.

19 (c) ENLISTMENT BONUS.—Section 309(e) of title 37,
20 United States Code, is amended by striking “December
21 31, 2002” and inserting “September 30, 2004”.

22 (d) RETENTION BONUS FOR MEMBERS QUALIFIED
23 IN A CRITICAL MILITARY SKILL.—Section 323(i) of title
24 37, United States Code, is amended by striking “Decem-
25 ber 31, 2002” and inserting “September 30, 2004”.

1 (e) ACCESSION BONUS FOR NEW OFFICERS IN CRIT-
2 ICAL SKILLS.—Section 324(g) of title 37, United States
3 Code, is amended by striking “December 31, 2002” and
4 inserting “September 30, 2004”.

5 (f) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFI-
6 CERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section
7 312(e) of title 37, United States Code, is amended by
8 striking “December 31, 2002” and inserting “December
9 31, 2004”.

10 (g) NUCLEAR CAREER ACCESSION BONUS.—Section
11 312b(c) of title 37, United States Code, is amended by
12 striking “December 31, 2002” and inserting “December
13 31, 2004”.

14 (h) NUCLEAR CAREER ANNUAL INCENTIVE
15 BONUS.—Section 312c(d) of title 37, United States Code,
16 is amended by striking “December 31, 2002” and insert-
17 ing “December 31, 2004”.

18 **SEC. 612. EXTENSION OF CERTAIN BONUS AND SPECIAL**
19 **PAY AUTHORITIES FOR NURSE OFFICER CAN-**
20 **DIDATES, REGISTERED NURSES, NURSE, AN-**
21 **ESTHETISTS, AND DENTAL OFFICERS.**

22 (a) NURSE OFFICER CANDIDATE ACCESSION PRO-
23 GRAM.—Section 2130a(a)(1) of title 10, United States
24 Code, is amended by striking “December 31, 2002” and
25 inserting “September 30, 2004”.

1 (b) **ACCESSION BONUS FOR REGISTERED NURSES.**—
2 Section 302d(a)(1) of title 37, United States Code, is
3 amended by striking “December 31, 2002” and inserting
4 “September 30, 2004”.

5 (c) **INCENTIVE SPECIAL PAY FOR NURSE ANES-**
6 **THETISTS.**—Section 302e(a)(1) of title 37, United States
7 Code, is amended by striking “December 31, 2002” and
8 inserting “September 30, 2004”.

9 (d) **ACCESSION BONUS FOR DENTAL OFFICERS.**—
10 Section 302h(a)(1) of title 37, United States Code, is
11 amended by striking “December 31, 2002” and inserting
12 “September 30, 2004”.

13 **SEC. 613. ONE-YEAR EXTENSION OF CERTAIN BONUS AND**
14 **SPECIAL PAY AUTHORITIES FOR RESERVE**
15 **FORCES.**

16 (a) **SPECIAL PAY FOR HEALTH PROFESSIONALS IN**
17 **CRITICALLY SHORT WARTIME SPECIALTIES.**—Section
18 302g(f) of title 37, United States Code, is amended by
19 striking “December 31, 2002” and inserting “December
20 31, 2003”.

21 (b) **SELECTED RESERVE REENLISTMENT BONUS.**—
22 Section 308b(f) of title 37, United States Code, is amend-
23 ed by striking “December 31, 2002” and inserting “De-
24 cember 31, 2003”.

1 (c) SELECTED RESERVE ENLISTMENT BONUS.—Sec-
2 tion 308c(e) of title 37, United States Code, is amended
3 by striking “December 31, 2002” and inserting “Decem-
4 ber 31, 2003”.

5 (d) SPECIAL PAY FOR ENLISTED MEMBERS AS-
6 SIGNED TO CERTAIN HIGH PRIORITY UNITS.—Section
7 308d(c) of title 37, United States Code, is amended by
8 striking “December 31, 2002” and inserting “December
9 31, 2003”.

10 (e) SELECTED RESERVE AFFILIATION BONUS.—Sec-
11 tion 308e(e) of title 37, United States Code, is amended
12 by striking “December 31, 2002” and inserting “Decem-
13 ber 31, 2003”.

14 (f) READY RESERVE ENLISTMENT AND REENLIST-
15 MENT BONUS.—Section 308h(g) of title 37, United States
16 Code, is amended by striking “December 31, 2002” and
17 inserting “December 31, 2003”.

18 (g) PRIOR SERVICE REENLISTMENT BONUS.—Sec-
19 tion 308i(f) of title 37, United States Code, is amended
20 by striking “December 31, 2002” and inserting “Decem-
21 ber 31, 2003”.

22 (h) REPAYMENT OF EDUCATION LOANS FOR CER-
23 TAIN HEALTH PROFESSIONALS WHO SERVE IN THE SE-
24 LECTED RESERVE.—Section 16302(d) of title 10, United

1 States Code, is amended by striking “January 1, 2003”
2 and inserting “January 1, 2004”.

3 **SEC. 614. INCREASE PRIOR SERVICE ENLISTMENT BONUS.**

4 Section 308i(b)(1) of title 37, United States Code,
5 is amended—

6 (1) in subparagraph (A), by striking “\$5,000”
7 and inserting “\$8,000”;

8 (2) in subparagraph (B), by striking “\$2,500”
9 and inserting “\$4,000”; and

10 (3) in subparagraph (C), by striking “\$2,000”
11 and inserting “\$3,500”.

12 **SEC. 615. AUTHORIZE PAYMENT OF DISTRIBUTION INCEN-**
13 **TIVE PAY.**

14 (a) IN GENERAL.—Chapter 5 of title 37, United
15 States Code, is amended by inserting after section 305a
16 the following new section:

17 **“§ 305b. Special pay: distribution incentive pay**

18 “(a) ENTITLEMENT.—A member of an armed force
19 who is entitled to basic pay and is on duty in an assign-
20 ment designated by the Secretary of Defense may be paid
21 distribution incentive pay at a monthly rate established
22 by the Secretary concerned not to exceed \$1,500.

23 “(b) ELIGIBILITY.—(1) For an assignment to be
24 qualified for an award of the distribution incentive pay
25 authorized in subsection (a), the assignment must be de-

1 signed by the Secretary to attract volunteers to agree to
2 serve—

3 “(A) in less-than-desirable locations; and

4 “(B) if assignment to certain locations are dif-
5 ficult-to-fill only in certain occupational specialities,
6 then further limit the pay to personnel in those spe-
7 cialities who are required to fill the difficult-to-fill
8 positions.

9 “(2) In order to receive pay under this section, a
10 member may not be receiving pay under this title or have
11 received a bonus under this title for service in a particular
12 geographical location.

13 “(c) DURATION OF DISTRIBUTION INCENTIVE
14 PAY.—A member will continue to receive special pay
15 under this section during absences from the qualifying as-
16 signment for temporary duty pursuant to military orders
17 or for authorized periods of leave. The special pay will be
18 terminated upon the member’s permanent separation from
19 the qualifying assignment pursuant to military orders.

20 “(d) SUNSET.—No distribution incentive pay may be
21 paid under this section with respect to the assignment to
22 a hard-to-fill career position or for service in a less-than-
23 desirable geographic location after December 31, 2007.”.

24 (b) CLERICAL AMENDMENT.—The table of sections
25 at the beginning of such chapter is amended by inserting

1 after the item relating to section 305a the following new
2 item:

“305b. Special pay: distribution incentive pay.”.

3 **Subtitle C—Travel and**
4 **Transportation Allowances**

5 **SEC. 621. EQUITABLE COMPENSATION SUPPORT FOR MILI-**
6 **TARY FUNERAL HONORS.**

7 Section 1491 of title 10, United States Code, is
8 amended—

9 (1) in the first sentence of subsection (b)(2), by
10 striking “(other than members in a retired status)”
11 and inserting “or military retirees”.

12 (2) in subsection (d)—

13 (A) by amending paragraph (1) to read as
14 follows:

15 “Transportation, or a flat rate daily stipend es-
16 tablished annually by the Secretary of Defense that
17 will encompass costs for transportation and other
18 miscellaneous expenses for a person who participates
19 in the funeral honors detail and is not a member of
20 the armed forces or an employee of the United
21 States.”;

22 (B) in paragraph (2), by inserting “mili-
23 tary retirees,” after “training for”; and

24 (C) by adding at the end the following new
25 paragraph:

1 “(4) Notwithstanding any other provision of
2 law, the stipend paid under this subsection to a re-
3 tired member of the armed forces shall be in addi-
4 tion to any other compensation authorized to which
5 the retired member may be entitled.”.

6 **SEC. 622. EXPANSION OF OVERSEAS TOUR EXTENSION BEN-**
7 **EFITS.**

8 Section 705(b)(2) of title 10, United States Code, is
9 amended to read as follows:

10 “(2) a period of rest and recuperation absence
11 for not more than 15 days and round-trip transpor-
12 tation at Government expense from the location of
13 the extended tour of duty to the nearest port in the
14 48 contiguous States, or to an alternate location at
15 a cost not to exceed the cost to the nearest port in
16 the 48 contiguous States, and return.”.

17 **SEC. 623. EXTENSION OF PERIOD FOR USE OF LEAVE TRAV-**
18 **EL ENTITLEMENT FOR CONSECUTIVE OVER-**
19 **SEAS TOURS.**

20 Section 411b(a)(2) of title 37, United States Code,
21 is amended to read as follows:

22 “(2) Under the regulations referred to in para-
23 graph (1), a member may defer the travel for which
24 the member is paid travel and transportation allow-
25 ances under such paragraph until any time before

1 the completion of that consecutive tour of duty at
2 the same duty station or at another duty station also
3 outside the 48 contiguous States and the District of
4 Columbia, as the case may be.”.

5 **Subtitle D—Retirement and**
6 **Survivor Benefit Matters**

7 **SEC. 631. CLARIFICATION OF DISABILITY SEVERANCE PAY**
8 **COMPUTATION.**

9 Paragraph (2) of section 1212(a) of title 10, United
10 States Code, is amended—

11 (1) in subparagraph (C) by striking “for pro-
12 motion”; and

13 (2) in subparagraph (D) by striking “for pro-
14 motion” after “examination”.

15 **SEC. 632. AUTHORITY TO INCREASE RETIRED PAY FOR EN-**
16 **LISTED RESERVE COMPONENT PERSONNEL**
17 **DECORATED FOR EXTRAORDINARY HEROISM.**

18 Section 12739 of title 10, United States Code, is
19 amended—

20 (1) by redesignating subsections (b) and (c) as
21 subsections (c) and (d), respectively;

22 (2) by inserting after subsection (a) the fol-
23 lowing new subsection (b):

24 “(b) If a member who is retired under section 12731
25 of this title has been credited by the Secretary concerned

1 with extraordinary heroism in the line of duty, the mem-
 2 ber’s retired pay shall be increased by 10 percent of the
 3 amount determined under subparagraph (a) (but to not
 4 more than 75 percent of the retired pay base upon which
 5 the computation of such retired pay is based). The Sec-
 6 retary’s determination as to extraordinary heroism is con-
 7 clusive for all purposes.”; and

8 (3) by amending subsection (c), as redesignated
 9 by paragraph (1), to read as follows:

10 “(c) The amount computed under subsection (a), to
 11 include the increase authorized in subsection (b) when ap-
 12 propriate, may not exceed 75 percent of the retired pay
 13 base upon which the computation is based.”.

14 **SEC. 633. SURVIVOR BENEFIT PLAN; MULTIPLE BENE-**
 15 **FICIARIES.**

16 (a) PERMIT SPOUSE AND FORMER SPOUSE COV-
 17 ERAGE.—Section 1448(b)(2) of title 10, United States
 18 Code, related to former spouse coverage upon becoming
 19 a participant in the Plan, is amended—

20 (1) in subparagraph (B), related to the effect of
 21 former spouse election on spouse or dependent
 22 child—

23 (A) by striking “prevents payment” and
 24 inserting “reduces the amount,”; and

1 (B) by striking “including payment” and
2 inserting “including the amount of an annuity”.

3 (2) in subparagraph (C), related to designation
4 if more than one former spouse, by striking “which
5 former spouse is to be provided the annuity,” and
6 inserting “the base amount applicable in deter-
7 mining the amount of the annuity of each former
8 spouse.”.

9 (b) PERMIT SPOUSE AND FORMER SPOUSE ANNU-
10 ITIES.—Section 1450(a)(1) of such title 10, related to
11 payment of annuity to surviving spouse and former
12 spouse, is amended to read as follows:

13 “(1) SURVIVING SPOUSE AND FORMER
14 SPOUSE(S).—The eligible surviving spouse and every
15 eligible former spouse.”.

16 (c) PERMIT REDUCTIONS IN RETIRED PAY IN THE
17 CASE OF MULTIPLE BENEFICIARIES.—Section 1452 of
18 such title 10, related to reduction in retired pay, is amend-
19 ed by adding at the end thereof the following new sub-
20 section (k) as follows:

21 “(k) REDUCTIONS IN RETIRED PAY IN THE CASE OF
22 MULTIPLE BENEFICIARIES.—When a participant in the
23 Plan has elected to provide an annuity to a spouse and
24 to one or more former spouses, reductions in retired pay
25 required by subsection (a) shall be made for each annuity

1 elected, in an amount based on the base amount applicable
2 to each annuity. In the case of a reduction in retired pay
3 to provide an annuity to a former spouse to whom pay-
4 ment of a portion of a member's retired pay is being made
5 pursuant to a court order under section 1408 of this title,
6 such reduction in retired pay shall be deducted from the
7 amounts paid to such member, to such former spouse, or
8 both, as provided by court order or by agreement of the
9 parties.”.

10 (d) EFFECTIVE DATE.—The amendments made by
11 subsections (a), (b), and (c) apply with respect to elections
12 made on or after the date of enactment of this Act. Any
13 election to provide an annuity to a spouse or former
14 spouse who was prevented from being a beneficiary under
15 the laws in effect before the date of enactment of this Act
16 shall be made within 180 days following the date of enact-
17 ment of this Act.

18 (e) COVERAGE FOR SURVIVORS OF RETIREMENT-
19 ELIGIBLE MEMBERS WHO DIE ON ACTIVE DUTY.—(1)
20 Section 1448(d)(3) of such title 10, related to mandatory
21 former spouse annuity for survivor of retirement-eligible
22 members who die on active duty, is amended by striking
23 the dash following “the Secretary” and “(A) may not pay
24 an annuity under paragraph (1) or (2); but (B)”.

1 (2) Section 1448(d)(5) of such title 10, related to the
2 computation of the amount of an annuity for survivors of
3 retirement-eligible members who die on active duty, is
4 amended to read as follows:

5 “(5) COMPUTATION.—(A) The amount of an
6 annuity payable to a former spouse pursuant to
7 paragraph (3) shall be computed on the basis of a
8 base amount equal to the amount of retired pay
9 that, under the authority of section 1408(c) of this
10 title, is treated under a court order or spousal agree-
11 ment as the property of such former spouse.

12 “(B) The amount of an annuity payable under
13 paragraph (1) or paragraph (2) shall be computed
14 under section 1451(c) of this title, however, the re-
15 tired pay otherwise applicable with respect to such
16 computation shall be reduced by an amount equal to
17 the base amount that provides the basis for com-
18 puting the amount of an annuity payable to a
19 former spouse under paragraph (3) this sub-
20 section.”.

21 (3) EFFECTIVE DATE.—The amendments made by
22 subsection (e) shall apply with respect to survivors of re-
23 tirement-eligible members who die on active duty on or
24 after the date of enactment of this Act.

1 (f) COVERAGE FOR SURVIVORS OF PERSONS DYING
2 WHEN ELIGIBLE TO ELECT RESERVE-COMPONENT AN-
3 NUITY.—(1) Section 1448(f)(3) of such title 10, related
4 to mandatory former spouse annuity for survivor of per-
5 sons dying when eligible to elect reserve-component annu-
6 ity, is amended by striking the dash following “the Sec-
7 retary” and “(A) may not pay an annuity under para-
8 graph (1) or (2); but (B)”.

9 (2) Section 1448(f)(4) of such title 10, related to the
10 computation of the amount of an annuity for survivors of
11 persons dying when eligible to elect reserve-component an-
12 nuity, is amended to read as follows:

13 “(4) COMPUTATION.—(A) The amount of an
14 annuity payable to a former spouse pursuant to
15 paragraph (3) shall be computed on the basis of a
16 base amount equal to the amount of retired pay
17 that, under the authority of section 1408(c) of this
18 title, is treated under a court order or spousal agree-
19 ment as the property of such former spouse.

20 “(B) The amount of an annuity payable under
21 paragraph (1) or paragraph (2) shall be computed
22 under section 1451(c) of this title, however, the re-
23 tired pay otherwise applicable with respect to such
24 computation shall be reduced by an amount equal to
25 the base amount that provides the basis for com-

1 puting the amount of an annuity payable to a
2 former spouse under paragraph (3) of this sub-
3 section.”.

4 (3) EFFECTIVE DATE.—The amendments made by
5 subsection (f) shall apply with respect to survivors of per-
6 sons eligible to elect reserve-component annuity retire-
7 ment-eligible members who die on or after the date of en-
8 actment of this Act.

9 **SEC. 634. SURVIVOR BENEFIT PLAN; PRESUMPTIVE PRO-**
10 **PORTIONATE SHARE.**

11 (a) PRESUMPTIVE BASE AMOUNT FOR FORMER
12 SPOUSE.—Section 1447(6) of title 10, United States
13 Code, is amended by adding at the end the following new
14 subparagraph:

15 “(D) PRESUMPTIVE PROPORTIONATE
16 AMOUNT FOR FORMER SPOUSE.—In the case of
17 an annuity provided under the Plan for a
18 former spouse, unless otherwise agreed to by
19 the member and former spouse or ordered by a
20 court, such term means any amount of monthly
21 retired pay, which is not less than \$300, pay-
22 able to such former spouse as a result of a
23 court treating disposable retired pay of a mem-
24 ber as the property of the member and his
25 spouse under the authority of section 1408(c).”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 this section shall apply with respect to divorces, dissolu-
3 tions, annulments, and legal separations that become ef-
4 fective after the end of the 90-day period beginning on
5 the date of enactment of this Act.

6 **SEC. 635. SURVIVOR BENEFIT PLAN; FINANCIAL RESPONSI-**
7 **BILITY FOR SURVIVOR BENEFIT PLAN PAR-**
8 **TICIPATION.**

9 (a) CHANGE TO DISPOSABLE RETIRED PAY.—Sec-
10 tion 1452(a) of title 10, United States Code, is amended—

11 (1) in paragraph (1), by inserting “paragraph
12 6 of this subsection or” before “subsection b”; and

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

15 “(6) If a court order requires the former spouse
16 to pay all or a part of the costs associated with pro-
17 viding an annuity to the former spouse, the partici-
18 pant’s retired pay shall not be reduced by the por-
19 tion that the former spouse is required to pay.”.

20 (b) EFFECTIVE DATE.—The amendment made by
21 this section shall apply with respect to divorces, dissolu-
22 tions, annulments, or legal separations that become effec-
23 tive after the end of the 90-day period beginning on the
24 date of enactment of this Act and with respect to court
25 orders issued after the date of enactment of this Act modi-

1 fying court orders issued before the date of enactment of
2 this Act.

3 **Subtitle E—Other Matters**

4 **SEC. 641. REPEAL OF LIMITED EXEMPTION FROM BAN ON** 5 **HONORARIA FOR PERSONNEL AT CERTAIN** 6 **DEPARTMENT OF DEFENSE SCHOOLS.**

7 Section 542 of the National Defense Authorization
8 Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat.
9 2413) is repealed.

10 **TITLE VII—HEALTH CARE** 11 **PROVISIONS**

12 **Subtitle A—TRICARE Program** 13 **Improvements**

14 **SEC. 701. IMPROVEMENT IN THE ADMINISTRATION OF THE** 15 **TRICARE PROGRAM.**

16 Section 1072(7) of title 10, United States Code, is
17 amended by striking “the competitive selection of contrac-
18 tors to financially underwrite the delivery of health care
19 services” and inserting “the competitive selection of con-
20 tractors to support most effectively the delivery of health
21 care services”.

22 **SEC. 702. DEPENDENT DENTAL CARE ENHANCEMENTS.**

23 (a) **ENABLE DEPENDENTS OF MEMBERS WHO DIE**
24 **WHILE ON ACTIVE DUTY FOR MORE THAN 30 DAYS TO**
25 **ENROLL IN TRICARE DENTAL PROGRAM.**—Section

1 1076a(k)(2) of title 10, United States Code, is amended
2 by inserting “(or, if not enrolled, if the member discon-
3 tinued participation under subsection (f))” after “sub-
4 section (a)”.

5 (b) AUTHORITY TO PROVIDE LIMITED DENTAL
6 CARE TO DEPENDENTS ENROLLED IN A DENTAL CARE
7 PLAN.—Section 1077(c) of such title is amended—

8 (1) by striking “and” following “the United
9 States”; and

10 (2) by inserting before the period at the end of
11 the following: “, and other dental care in special cir-
12 cumstances as determined under regulations issued
13 by the Secretary of Defense”.

14 **Subtitle B—Senior Health Care**

15 **SEC. 711. IMPROVEMENTS REGARDING THE DEPARTMENT** 16 **OF DEFENSE MEDICARE-ELIGIBLE RETIREE** 17 **HEALTH CARE FUND.**

18 (a) SOURCE OF FUNDS FOR MONTHLY ACCRUAL
19 PAYMENTS INTO THE FUND.—Section 116(c) of title 10,
20 United States Code, is amended to read as follows:

21 “(c) Amounts paid into the Fund under subsection
22 (a) shall be paid from funds available for the pay of mem-
23 bers of the participating uniformed services under the ju-
24 risdiction of the respective administering Secretaries.”.

1 (b) MANDATORY PARTICIPATION OF OTHER UNI-
2 FORMED SERVICES.—Section 1111(e) of such title is
3 amended—

4 (1) in the first sentence, by striking “may enter
5 into an agreement with any other administering Sec-
6 retary” and inserting “shall enter into an agreement
7 with each other administering Secretary”; and

8 (2) in the second sentence, by striking “Any”
9 and inserting “Each”.

10 (c) EXCLUSION OF CADETS AND MIDSHIPMEN.—Sec-
11 tion 1111(b) of such title is amended by adding at the
12 end the following new paragraph:

13 “(5) The term ‘members of the uniformed serv-
14 ices on active duty’ does not include a cadet at the
15 United States Military Academy, the United States
16 Air Force Academy, or the Coast Guard Academy,
17 or a midshipman at the United States Naval Acad-
18 emy.”.

1 **TITLE VIII—ACQUISITION POL-**
2 **ICY, ACQUISITION MANAGE-**
3 **MENT, AND RELATED MAT-**
4 **TERS**

5 **Subtitle A—Acquisition Policy and**
6 **Management**

7 **SEC. 801. LIVE-FIRE WAIVER AUTHORITY.**

8 Paragraph (1) of section 2366(c) of title 10, United
9 States Code, is amended by inserting “or at the beginning
10 of remaining system development and demonstration or
11 production and deployment when that phase is the first
12 phase of the program as a major defense acquisition pro-
13 gram as defined in section 2399(a)(2) of this title,” after
14 “program enters system development and demonstra-
15 tion,”.

16 **SEC. 802. REPEAL OF CERTIFICATION OF FUNDING FOR**
17 **SUPPORT COSTS IN THE FUTURE YEARS DE-**
18 **FENSE PROGRAM.**

19 Section 2306b(i)(1) of title 10, United States Code,
20 is amended—

21 (1) by striking “each of the following conditions
22 is satisfied.”;

23 (2) by striking subparagraph (A); and

24 (3) by striking “(B) The” and inserting “the”.

1 **SEC. 803. AUTHORITY TO WAIVE DOMESTIC SOURCE OR**
2 **CONTENT REQUIREMENTS.**

3 (a) IN GENERAL.—Subchapter V of chapter 148 of
4 title 10, United States Code, is amended by adding at the
5 end the following new section:

6 **“§ 2539c. Waiver of domestic source or content re-**
7 **quirements**

8 “(a) AUTHORITY.—Subject to subsections (c) and
9 (d), and except as provided in subsection (e), the Secretary
10 of Defense may waive the application of any domestic
11 source requirement or domestic content requirement re-
12 ferred to in subsection (b) and thereby authorize the pro-
13 curement of items that are grown, reprocessed, reused,
14 produced, or manufactured—

15 “(1) in a foreign country that has a reciprocal
16 defense procurement memorandum of understanding
17 or agreement with the United States;

18 “(2) in a foreign country that has a reciprocal
19 defense procurement memorandum of understanding
20 or agreement with the United States substantially
21 from components and materials grown, reprocessed,
22 reused, produced or manufactured in the United
23 States or any foreign country that has a reciprocal
24 defense procurement memorandum of understanding
25 or agreement with the United States; or

1 “(3) in the United States substantially from
2 components and materials grown, reprocessed, re-
3 used, produced, or manufactured in the United
4 States or any foreign country that has a reciprocal
5 defense procurement memorandum of understanding
6 or agreement with the United States.

7 “(b) COVERED REQUIREMENTS.—For purposes of
8 this section:

9 “(1) A domestic source requirement is any re-
10 quirement under law that the Department of De-
11 fense must satisfy its needs for an item by procuring
12 an item that is grown, reprocessed, reused, pro-
13 duced, or manufactured in the United States or by
14 a manufacturer that is a part of the national tech-
15 nology and industrial base (as defined in section
16 2500(1) of this title).

17 “(2) A domestic content requirement is any re-
18 quirement under law that the Department of De-
19 fense must satisfy its needs for an item by procuring
20 an item produced or manufactured partly or wholly
21 from components and materials grown, reprocessed,
22 reused, produced, or manufactured in the United
23 States.

24 “(c) APPLICABILITY.—The authority to the Secretary
25 to waive the application of the domestic source or content

1 requirements under subsection (a) applies to the procure-
2 ment of items for which the Secretary of Defense
3 determines—

4 “(1) that application of the requirement would
5 impede the reciprocal procurement of defense items
6 under a memorandum of understanding providing
7 for reciprocal procurement of defense items between
8 a foreign country and the United States in accord-
9 ance with section 2531 of this title, and

10 “(2) that country does not discriminate against
11 defense items produced in the United States to a
12 greater degree than the United States discriminates
13 against defense items produced in that country.

14 “(d) IMPLEMENTATION.—The authority to the Sec-
15 retary to waive the application of the domestic source or
16 content requirements under subsection (a) may not be del-
17 egated below the Under Secretary of Defense for Acquisi-
18 tion, Technology and Logistics. Any such waiver may be
19 granted only after consultation with the United States
20 Trade Representative, the Secretary of Commerce, and the
21 Secretary of State.

22 “(e) LAWS NOT WAIVABLE.—The Secretary of De-
23 fense may not exercise the authority under subsection (a)
24 to waive any domestic source or content requirement con-
25 tained in the following laws:

1 “(1) The Small Business Act (15 U.S.C. 631 et
2 seq.).

3 “(2) The Javits-Wagner-O’Day Act (41 U.S.C.
4 46–48c).

5 “(3) Sections 7309 and 7310 of this title.

6 “(4) Section 2533a of this title.

7 “(f) RELATIONSHIP TO OTHER WAIVER AUTHOR-
8 ITY.—The authority under subsection (a) to waive a do-
9 mestic source requirement or domestic content require-
10 ment is in addition to any other authority to waive such
11 requirement.

12 “(g) APPLICATION TO FUTURE LAWS.—This section
13 applies to domestic source requirements and domestic con-
14 tent requirements enacted before, on, or after the effective
15 date of this section.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 at the beginning of such subchapter V is amended by in-
18 serting after the item relating to section 2539b the fol-
19 lowing new item:

 “2539e. Waiver of domestic source or content requirements.”.

20 **SEC. 804. PURCHASE OF DINITROGEN TETROXIDE, HYDRA-**
21 **ZINE, AND HYDRAZINE-RELATED PRODUCTS.**

22 (a) IN GENERAL.—Chapter 141 of title 10, United
23 States Code, is amended by inserting after section 2410m.
24 the following new section:

1 **“§ 2410n. Purchase of dinitrogen tetroxide, hydrazine**
 2 **and hydrazine-related products**

3 “The Secretary of Defense may enter into contracts,
 4 for a period of up to ten years, for the purchase of
 5 dinitrogen tetroxide, hydrazine, and hydrazine-related
 6 products for contracts in support of either United States
 7 national security programs or Federal space programs.
 8 Contracts awarded under this provision may include re-
 9 newal options covering a total period of not more than
 10 ten additional years.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
 12 at the beginning of Chapter 141 by adding at the end the
 13 following item:

“2410n. Purchase of dinitrogen tetroxide, hydrazine and hydrazine-related prod-
 ucts.”.

14 **Subtitle B—Use of Preferred**
 15 **Sources**

16 **SEC. 811. ELIGIBILITY OF HUBZONE SMALL BUSINESS CON-**
 17 **CERNS AND SMALL BUSINESS CONCERNS**
 18 **OWNED AND CONTROLLED BY SERVICE-DIS-**
 19 **ABLED VETERANS UNDER THE MENTOR**
 20 **PROTÉGÉ PROGRAM.**

21 Section 831(m)(2) of the National Defense Author-
 22 ization Act for Fiscal Year 1991 (10 U.S.C. 2302 note),
 23 is amended—

1 (1) by striking “or” at the end of subparagraph
2 (D);

3 (2) by striking the period at the end of sub-
4 paragraph (E) and inserting a semi-colon; and

5 (3) by adding at the end the following new sub-
6 paragraphs:

7 “(F) a qualified HUBZone small business
8 concern, as defined in section 3(p)(5)(A) of the
9 Small Business Act (15 U.S.C. 632(p)(5)(A));

10 or

11 “(G) a small business concern owned and
12 controlled by Service-disabled veterans, as de-
13 fined in section 3(q)(2) of the Small Business
14 Act (15 U.S.C. 637(q)(2)).”

15 **Subtitle C—General Contracting** 16 **Procedures and Limitations**

17 **SEC. 821. CONTRACTING FOR SECURITY GUARDS.**

18 Section 2465 of title 10, United States Code, is
19 amended—

20 (1) in subsection (a), by striking “subsection
21 (b)” and inserting “subsections (b) and (c)”; and

22 (2) by inserting at the end the following new
23 subsection (c):

24 “(c) Funds appropriated to the Department of De-
25 fense may be obligated and expended for the purpose of

1 entering into a contract for the performance of security
2 guard functions provided that the Secretary of Defense de-
3 termines that such contract is necessary because the provi-
4 sion of such services by government personnel is not cost
5 effective or practical.”.

6 **SEC. 822. DEMONSTRATION PROJECT USING MULTI-YEAR**
7 **CONTRACTS FOR ENVIRONMENTAL REMEDI-**
8 **ATION.**

9 (a) **AUTHORITY.**—The Secretary of a military depart-
10 ment may conduct a demonstration project to test the fea-
11 sibility of using fixed-price multi-year contracts with incre-
12 mental funding to obtain environmental remediation serv-
13 ices. To the extent that funds are otherwise available for
14 obligation, each such Secretary may enter into not more
15 than four contracts. Payments under the contracts may
16 be made with funds appropriated for the fiscal year during
17 which the services or facilities will be provided.

18 (b) **LOCATION OF REMEDIATION.**—Any contract en-
19 tered into under the authority provided in subsection (a)
20 shall be limited to environmental remediation services or
21 facilities for an active military installation, an installation
22 being closed or realigned under base realignment, and clo-
23 sure procedures of a formerly-used defense site. Each
24 demonstration project shall be limited to not more than

1 for installations or defense sites with varied size and con-
2 taminant complexity.

3 (c) TIME LIMITATION.—A multi-year contract en-
4 tered into pursuant to subsection (a) may not exceed a
5 period of five years. All such contracts, to the extent prac-
6 ticable, shall be awarded within a year after the enactment
7 of this Act.

8 (d) CONTRACT CANCELLATIONS.—A contract under
9 this section may include cancellation provisions to the ex-
10 tent that such provisions are necessary and in the best
11 interests of the United States. The cancellation provisions
12 may include consideration of both recurring and non-
13 recurring costs of the contractor associated with the provi-
14 sion of services or facilities under a contract entered into
15 pursuant to this section.

16 (e) CANCELLATION OR TERMINATION FOR INSUFFI-
17 CIENT FUNDING.—In the event funds are not available for
18 the continuation into a subsequent fiscal year of a contract
19 entered into pursuant to this section, the contract shall
20 be canceled or terminated. The costs of such cancellation
21 or termination may be paid from—

22 (1) appropriations originally available for the
23 performance of the contract concerned, if available;

1 (2) appropriations currently available for the
2 procurement of environmental remediation services
3 or facilities, and not otherwise obligated; or

4 (3) funds appropriated for those payments.

5 **SEC. 823. MICRO-PURCHASE EXCEPTION FOR BALL AND**
6 **ROLLER BEARINGS.**

7 (a) IN GENERAL.—Chapter 141 of title 10, United
8 States Code, is amended by inserting after section 2410m
9 the following new section:

10 **“§ 2410n. Micro-purchase exception for ball and roller**
11 **bearings.**

12 “The Secretary of Defense may purchase ball and
13 roller bearings from any source if the purchase is at or
14 below the micro-purchase threshold as defined in section
15 32 of the Office of Federal Procurement Policy Act (41
16 U.S.C. 428). the authority for the Secretary to purchase
17 ball and roller bearings from any source is exclusive of
18 any other provision of law relating to public contracts or
19 the procurement of goods other than United States
20 goods.”.

21 (b) CLERICAL AMENDMENT.—The table of sections
22 at the beginning of chapter 141 of title 10, United States
23 Code, is amended by inserting after the item relating to
24 section 2410m the following new item:

“2410n. Micro-purchase exception for ball and roller bearings.”.

1 **TITLE IX—DEPARTMENT OF DE-**
2 **FENSE ORGANIZATION AND**
3 **MANAGEMENT**

4 **Subtitle A—Department of Defense**
5 **Organization**

6 **SEC. 901. CERTIFICATION FOR DEPARTMENT OF DEFENSE**
7 **PROFESSIONAL ACCOUNTING POSITIONS.**

8 (a) IN GENERAL.—Chapter 81 of title 10, United
9 States Code, is amended by adding at the end the fol-
10 lowing new section:

11 **“§ 1599d. Department of Defense’s professional ac-**
12 **counting positions**

13 “(a) PROFESSIONAL CERTIFICATION.—Notwith-
14 standing any other provision of law or regulation, the Sec-
15 retary of Defense, or an appointed designee, has sole and
16 exclusive discretion to establish professional certification
17 and credential standards, and waive such standards, for
18 the Department of Defense’s professional accounting posi-
19 tions as deemed appropriate by the Secretary.

20 “(b) DEFINITION.—For purposes of this section, the
21 term ‘professional accounting position’ means a position
22 or group of positions within the Department of Defense
23 in the GS–510, GS–511, and GS–505 series that involve
24 professional accounting work.

1 “(c) EFFECTIVE DATE.—Standards established pur-
2 suant to this section may take effect no sooner than 120
3 days after the effective date of this Act.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 at the beginning of such chapter is amended by inserting
6 after the item relating to section 1599c the following new
7 item:

“1599d. Certification for the Department of Defense’s professional accounting
positions.”.

8 **SEC. 902. CONSEQUENCE MANAGEMENT PROGRAM INTE-**
9 **GRATION OFFICE.**

10 Paragraph (3) of section 12310(c) of title 10, United
11 States Code, is amended by striking “only—

12 “(A) while assigned to the Department of
13 Defense Consequence Management Program In-
14 tegration Office; or

15 “(B) while assigned” and inserting “only
16 while assigned”.

17 **Subtitle B—Financial Management**

18 **SEC. 911. PECUNIARY LIABILITY EQUALIZATION.**

19 (a) EXTENSION OF REPORT OF SURVEY PROCE-
20 DURES TO MEMBERS OF THE NAVY, MARINE CORPS, AND
21 ALL CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DE-
22 FENSE.—Chapter 165 of title 10, United States Code, is
23 amended by inserting after section 2786 the following new
24 section:

1 **“§ 2787. Reports of survey**

2 “(a) REGULATIONS.—Under such regulations as the
3 Secretary of Defense may prescribe, any military officer
4 or any civilian employee of the Department of Defense
5 designated in accordance with the provisions of such regu-
6 lations may act upon reports of surveys and vouchers per-
7 taining to the loss, spoilage, unserviceability, unsuitability,
8 or destruction of, or damage to, property of the United
9 States under the control of the Department of Defense.

10 “(b) FINALITY OF ACTION.—Action taken under sub-
11 section (a) is final, except that action holding a person
12 pecuniarily liable for loss, spoilage, destruction, or damage
13 is not final until approved in accordance with the provi-
14 sions of the regulations prescribed under subsection (a).”.

15 (b) EXTENSION OF PROVISION PERTAINING TO DAM-
16 AGE OR REPAIR OF ARMS AND EQUIPMENT TO MEMBERS
17 OF THE NAVY AND MARINE CORPS.—Section 1007(e) of
18 title 37, United States Code, is amended by striking
19 “Army or the Air Force” and inserting “Army, Navy, Air
20 Force or Marine Corps”.

21 (c) CLERICAL AMENDMENT.—The table of sections
22 at the beginning of chapter 165 of title 10, United States
23 Code, is amended by inserting after the item relating to
24 section 2786 the following new item:

“2787. Reports of survey.”.

1 (d) REPEAL OF SUPERSEDED PROVISIONS.—(1) Sec-
2 tions 4835 and 9835 of such title 10 are repealed.

3 (2) The table of sections at the beginning of chapters
4 453 and 953 of such title 10 are amended by striking the
5 items relating to sections 4835 and 9835, respectively.

6 **SEC. 912. ACCOUNTABLE OFFICIALS IN THE DEPARTMENT**
7 **OF DEFENSE.**

8 (a) ADDITIONAL ACCOUNTABLE OFFICIALS WITHIN
9 THE DEPARTMENT OF DEFENSE.—Chapter 165 of title
10 10, United States Code, is amended by inserting after sec-
11 tion 2773 the following new section:

12 **“§ 2773a. Departmental accountable officials**

13 “(a) DESIGNATION.—The Secretary of Defense may
14 designate, in writing, a civilian employee or a member of
15 the armed forces under the Secretary’s jurisdiction, who
16 is not otherwise accountable under subtitle III of title 31
17 or other law, as a departmental accountable official. The
18 Secretary may so designate those employees or members
19 who, in the performance of their duties, are responsible
20 for providing to certifying officials of the Department of
21 Defense information, data, or services directly relied upon
22 by the certifying officials in the certification of vouchers
23 for payment.

24 “(b) PECUNIARY LIABILITY.—The Secretary of De-
25 fense may, in a designation under subsection (a), impose

1 pecuniary liability on a departmental accountable official
2 to the extent that an illegal, improper, or incorrect pay-
3 ment results from the information, data, or services which
4 that official provided to a certifying official and upon
5 which the certifying official directly relied in certifying the
6 voucher supporting that payment. The pecuniary liability
7 under this subsection of a departmental accountable offi-
8 cial for an illegal, improper, or incorrect payment is joint
9 and several with that of other officials who are pecuniarily
10 liable for such payment.

11 “(c) RELIEF FROM PECUNIARY LIABILITY.—The
12 Secretary of Defense shall relieve a departmental account-
13 able official from pecuniary liability under subsection (b)
14 if the Secretary determines that the illegal, improper, or
15 incorrect payment was not the result of fault or negligence
16 by that official.”.

17 (b) CLERICAL AMENDMENT.—The table of sections
18 at the beginning of such chapter 165 of title 10 is amend-
19 ed by inserting after the item relating to section 2773 the
20 following new item:

“2773a. Departmental accountable officials.”.

21 **SEC. 913. FAILURE TO PARTICIPATE SATISFACTORILY; PEN-**
22 **ALTIES.**

23 Section 16135 of title 10, United States Code, is
24 amended by adding at the end the following new sub-
25 section:

1 “(c)(1) Subject to paragraph (a)(2), an obligation to
2 pay a refund to the United States under subparagraph
3 (a)(1)(B) in an amount determined under subsection (b)
4 is, for all purposes, a debt owed to the United States.

5 “(2) A discharge in bankruptcy under title 11 that
6 is entered less than five years after the termination of an
7 enlistment or other agreement under this section does not
8 discharge the person signing such enlistment or other
9 agreement from a debt arising under the enlistment or
10 agreement, respectively, of this subsection.”.

11 **TITLE X—GENERAL PROVISIONS**

12 **Subtitle A—Financial Matters**

13 **SEC. 1001. TRANSFER OF FUNDS WITHIN ACQUISITION PRO-** 14 **GRAMS; PROCEDURES AND LIMITATIONS.**

15 Section 2214 of title 10, United States Code, is
16 amended—

17 (1) by redesignating subsections (b), (c), and
18 (d) as subsections (c), (d), and (e), respectively; and

19 (2) by inserting after subsection (a) the fol-
20 lowing new subsection (b):

21 “(b) **LIMITED TRANSFER AUTHORITY.**—The Sec-
22 retary of Defense may transfer amounts provided in ap-
23 propriation acts for procurement to amounts in appropria-
24 tions Acts for research, development, test, and evaluation
25 within individual acquisition category I and II programs

1 not to exceed \$250 million per year and \$20 million per
2 acquisition program. A transfer for the purpose of initi-
3 ating research, development, testing, or evaluation of a
4 new program or system is prohibited. The transfer author-
5 ity provided in this subsection is in addition to any other
6 transfer authority available to the Secretary of Defense.”.

7 **SEC. 1002. REIMBURSEMENT FOR RESERVE INTELLIGENCE**
8 **SUPPORT.**

9 (a) IN GENERAL.—Chapter 1003 of title 10, United
10 States Code, is amended by adding at the end the fol-
11 lowing new section:

12 **“§ 10115. Reimbursement for reserve intelligence sup-**
13 **port**

14 “The Secretary of Defense or the Secretary con-
15 cerned may reimburse a Reserve or National Guard unit
16 or organization for the pay, allowances, or other expenses
17 incurred by the Reserve or National Guard unit or organi-
18 zation when a member of the Reserve or National Guard
19 unit or organization provides intelligence support, counter-
20 intelligence support, or intelligence and counterintelligence
21 support to Combatant Commands, Defense Agencies, and
22 Joint Intelligence Activities, including but not limited to
23 the activities and programs within the National Foreign
24 Intelligence Program, the Joint Military Intelligence Pro-
25 gram, and the Tactical Intelligence and Related Activities.

1 Reimbursement shall be paid out of funds available for
2 operations and maintenance of the military departments,
3 combatant commands, or Defense Agencies.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 at the beginning of such chapter is amended by adding
6 at the end the following new item:

“10115. Reimbursement for reserve intelligence support.”.

7 **SEC. 1003. AUTHORITY TO WAIVE REIMBURSEMENT OF**
8 **ASIA-PACIFIC CENTER FOR SECURITY STUD-**
9 **IES CHARGES.**

10 (a) WAIVER OF CHARGES.—The Secretary of Defense
11 may waive reimbursement of the costs of conferences, sem-
12 inars, courses of instruction, or similar educational activi-
13 ties of the Asia-Pacific Center for Security Studies for
14 military officers and civilian officials of foreign nations of
15 the Asia-Pacific region if the Secretary determines that
16 attendance by such personnel, without reimbursement, is
17 in the national security interest of the United States.

18 (b) FUNDING.—Costs for which reimbursement is
19 waived pursuant to paragraphs (1) shall be paid from ap-
20 propriations available for the Asia-Pacific Center for Secu-
21 rity Studies.

1 **SEC. 1004. CROSS-FISCAL YEAR COOPERATIVE AGREE-**
2 **MENTS FOR ENVIRONMENTAL PURPOSES.**

3 (a) **CROSS-FISCAL YEAR ENVIRONMENTAL COOPER-**
4 **ATIVE AGREEMENTS.**—Section 2410a of title 10, United
5 States Code, is amended—

6 (1) in subsection (a)—

7 (A) by striking “contract for procurement”
8 and inserting “contract, or a cooperative agree-
9 ment entered into under section 2701(d) of this
10 title, for procurement”;

11 (B) by striking “the next” and inserting
12 “another”;

13 (C) by striking “period of the contract”
14 and inserting “period of the contract or the co-
15 operative agreement”; and

16 (D) by striking “contract period does not
17 exceed one year” and inserting “contract period
18 does not exceed one year and the cooperative
19 agreement period does not exceed two years”;
20 and

21 (2) in subsection (2), by striking the period and
22 inserting “or of a cooperative agreement entered
23 into under section 2701(d) of this title.”.

24 (b) **USE OF FUNDS FROM ENVIRONMENTAL AC-**
25 **COUNTS.**—Section 2703(b)(1) of such title 10 is
26 amended—

1 (1) in subparagraph (A), by striking “and” fol-
2 lowing the semicolon; and

3 (2) in subparagraph (B) by—

4 (A) striking the period and inserting
5 “; and”; and

6 (B) adding at the end thereof the following
7 new subparagraph:

8 “(C) to reimburse, for services provided
9 under cooperative agreements entered into
10 under section 2701(d) of this title, any depart-
11 ment, agency, instrumentality or entity of—

12 “(i) the United States;

13 “(ii) any State, District, common-
14 wealth, territory or possession of the
15 United States, or political subdivision
16 thereof; or

17 “(iii) Indian tribe.”.

18 (c) CONFORMING AMENDMENTS.—The section head-
19 ing for section 2410a of such title 10 is amended by in-
20 serting “**and environmental cooperative agree-**
21 **ments**” after “**contracts**”.

22 (2) The table of sections for chapter 141 of such title
23 10 is amended by amending the item relating to section
24 2410a to read as follows:

“2410a. Severable service contracts and environmental cooperative agreements
crossing fiscal years.”.

1 **Subtitle B—Repeal and Revision of**
2 **Various Reporting Requirements**

3 **SEC. 1011. REPEAL OF VARIOUS REPORTS REQUIRED OF**
4 **THE DEPARTMENT OF DEFENSE.**

5 (a) PROVISIONS OF TITLE 10.—Title 10, United
6 States Code, is amended—

7 (1) in section 117—

8 (A) by striking subsection (e); and

9 (B) by redesignating subsection (f) as sub-
10 section (e);

11 (2) in section 129, by striking subsection (f);

12 (3) in chapter 7—

13 (A) section 183 is repealed; and

14 (B) the table of sections for such chapter
15 7 is amended by striking the item relating to
16 section 183;

17 (4) in chapter 9—

18 (A) section 230 is repealed; and

19 (B) the table of sections for such chapter
20 9 is amended by striking the item relating to
21 section 230;

22 (5) in chapter 23—

23 (A) sections 482, 483, 484, and 487 are
24 repealed; and

1 (B) the table of sections for such chapter
2 23 is amended by striking the items relating to
3 sections 482, 483, 484, and 487;
4 (6) in section 526—
5 (A) by striking subsection (c); and
6 (B) by redesignating subsection (d) as sub-
7 section (c);
8 (7) in section 721(d)—
9 (A) by striking paragraph (2); and
10 (B) by striking the designator “(1)” pre-
11 ceding the remaining matter;
12 (8) in section 986, by striking subsection (e);
13 (9) in section 1095(g)—
14 (A) by striking paragraph (2); and
15 (B) by striking the designator “(1)” pre-
16 ceding the remaining matter;
17 (10) in section 1557—
18 (A) by striking subsection (e); and
19 (B) by redesignating subsection (f) as sub-
20 section (e);
21 (11) in chapter 80—
22 (A) section 1563 is repealed; and
23 (B) the table of sections for such chapter
24 80 is amended by striking the item relating to
25 section 1563;

- 1 (12) in section 1597, by striking subsections (c)
2 through (e);
- 3 (13) in section 1798, by striking subsection (d);
- 4 (14) in section 1799, by striking subsection (d);
- 5 (15) in section 2010—
- 6 (A) by striking subsection (b); and
- 7 (B) by redesignating subsections (c) and
- 8 (d) as subsections (b) and (c), respectively;
- 9 (16) in section 2011, by striking subsection (e);
- 10 (17) in section 2208(j)(2), by striking “and no-
- 11 tifies Congress regarding the reasons for the waiv-
- 12 er”;
- 13 (18) in section 2220—
- 14 (A) by striking subsections (b) and (c);
- 15 and
- 16 (B) by striking “(a) ESTABLISHMENT OF
- 17 GOALS.—”;
- 18 (19) in section 2255(b)—
- 19 (A) by striking paragraph (2); and
- 20 (B) by striking the designator “(1)” after
- 21 the catchline;
- 22 (20) in chapter 136—
- 23 (A) section 2282 is repealed; and

1 (B) the table of sections for such chapter
2 136 is amended by striking the item relating to
3 section 2282;

4 (21) in section 2327(c)(1)—

5 (A) in subparagraph (A), by striking
6 “after the date on which such head of an agen-
7 cy submits to Congress a report on the con-
8 tract” and inserting “if in the best interests of
9 the government”;

10 (B) by striking subparagraph (B); and

11 (C) by redesignating subparagraph (C) as
12 subparagraph (B);

13 (22) in section 2350a—

14 (A) in subsection (f)—

15 (i) by striking paragraph (1);

16 (ii) by amending the catchline to read
17 “REPORT TO CONGRESS.—”; and

18 (iii) by striking the designator “(2)”
19 that precedes the remaining matter; and

20 (B) in subsection (g), by striking para-
21 graph (4);

22 (23) in section 2350f—

23 (A) by striking subsection (c); and

24 (B) by redesignating subsection (d) as sub-
25 section (c);

- 1 (24) in section 2350k, by striking subsection
2 (d);
- 3 (25) in section 2367(d)—
- 4 (A) by striking paragraph (1); and
- 5 (B) by striking the designator “(2)” that
6 precedes the remaining matter after the catch-
7 line;
- 8 (26) in section 2391—
- 9 (A) by striking subsection (c); and
- 10 (B) by redesignating subsections (d) and
11 (e) as subsections (c) and (d), respectively;
- 12 (27) in section 2399—
- 13 (A) by striking subsection (g); and
- 14 (B) by redesignating subsection (h) as sub-
15 section (g);
- 16 (28) in section 2401—
- 17 (A) by striking subsection (b);
- 18 (B) by designating subsections (c) through
19 (f) as subsections (b) through (e), respectively;
20 and
- 21 (C) in subsection (a), by striking “only as
22 provided in subsection (b)” both times such
23 phrase appears in the subsection;
- 24 (29) in section 2410i(c), by striking the last
25 sentence;

- 1 (30) in section 2457—
- 2 (A) by striking subsection (d); and
- 3 (B) by redesignating subsections (e) and
- 4 (f) as subsections (d) and (e), respectively;
- 5 (31) in section 2464(b), by striking paragraph
- 6 (3);
- 7 (32) in section 2486(b)(12), by striking all
- 8 after “the Secretary of Defense may prescribe” and
- 9 inserting a period;
- 10 (33) in section 2492, by striking subsection (c);
- 11 (34) in section 2493, by striking subsection (g);
- 12 (35) in chapter 148—
- 13 (A) section 2504 is repealed;
- 14 (B) the table of sections for such chapter
- 15 148 is amended by striking the item relating
- 16 to section 2504;
- 17 (36) in section 2537—
- 18 (A) by striking subsection (b); and
- 19 (B) by redesignating subsection (c) as sub-
- 20 section (b);
- 21 (37) in section 2563(c)(2), by striking “and no-
- 22 tifies Congress regarding the reasons for the waiv-
- 23 er”;
- 24 (38) in section 2611—
- 25 (A) by striking subsection (e); and

1 (B) by redesignating subsection (f) as sub-
2 section (e);

3 (39) in section 2631(b)(3), by striking the last
4 sentence;

5 (40) in section 2662—

6 (A) by striking subsection (e);

7 (B) by redesignating subsections (f) and
8 (g) as subsections (e) and (f), respectively; and

9 (C) in subsection (f), as redesignated by
10 subparagraph (B), by striking ”, and the re-
11 porting requirement set forth in subsection (e)
12 must not apply with respect to a real property
13 transaction otherwise covered by that sub-
14 section,”;

15 (41) in section 2667—

16 (A) by striking paragraph (3); and

17 (B) by redesignating paragraphs (4) and
18 (5) as paragraphs (3) and (4), respectively;

19 (42) in section 2676(d), by striking all after “is
20 approved by the Secretary concerned” and inserting
21 a period;

22 (43) in section 2688—

23 (A) by striking subsection (e);

1 (B) by redesignating subsections (f)
2 through (i) as subsections (e) through (h), re-
3 spectively; and

4 (C) in subsection (f), as redesignated by
5 subparagraph (B), by striking the last sentence;
6 (44) in section 2696—

7 (A) by striking subsections (e) and (d);
8 and

9 (B) by redesignating subsection (e) as sub-
10 section (c);

11 (45) in section 2805(b)—

12 (A) by striking paragraph (2); and

13 (B) by striking the designator “(1)” that
14 precedes the remaining matter;

15 (46) in section 2807—

16 (A) by striking subsection (b); and

17 (B) by redesignating subsections (e) and
18 (d) as subsections (b) and (c), respectively;

19 (47) in section 2809, by striking subsection (f);

20 (48) in section 2812(c)—

21 (A) by striking paragraph (1);

22 (B) by striking the designator “(2)” that
23 precedes the remaining matter;

24 (49) in section 2813, by striking subsection (c);

25 (50) in section 2827—

1 (A) by striking subsection (b); and

2 (B) by striking “(a) Subject to subsection
3 (b), the Secretary” and inserting “The Sec-
4 retary”;

5 (51) in section 2828—

6 (A) by striking subsection (f); and

7 (B) by redesignating subsection (g) as sub-
8 section (f);

9 (52) in section 2835—

10 (A) by striking subsection (b);

11 (B) by redesignating subsections (c)
12 through (h) as subsections (b) through (g), re-
13 spectively; and

14 (C) in subsection (a), by striking “Subject
15 to subsection (b), the Secretary” and inserting
16 “The Secretary”;

17 (53) in section 2836—

18 (A) by striking subsection (b);

19 (B) by redesignating subsections (c)
20 through (g) as subsections (b) through (f), re-
21 spectively; and

22 (C) in subsection (a), by striking “Subject
23 to subsection (b), the Secretary” and inserting
24 “The Secretary”;

25 (54) in section 2837—

- 1 (A) in subsection (c)—
2 (i) by striking paragraph (2); and
3 (ii) by striking the designator “(1)”
4 after the catchline and preceding the re-
5 maining matter;
6 (B) by striking subsection (f); and
7 (C) by redesignating subsections (g) and
8 (h) as subsections (f) and (g);
9 (55) in section 2867, by striking subsection (c);
10 (56) in section 4416, by striking subsection (f);
11 (57) in section 5721(f)—
12 (A) by striking paragraph (2); and
13 (B) by striking the designator “(1)” after
14 the catchline and preceding the remaining mat-
15 ter;
16 (58) in section 9356—
17 (A) by striking subsection (c);
18 (B) by redesignating subsections (d) and
19 (e) as subsections (c) and (d), respectively; and
20 (C) in subsection (a), by striking “Subject
21 to subsection (c), the Secretary” and inserting
22 “The Secretary”; and
23 (59) in section 12302—
24 (A) in subsection (b), by striking the last
25 sentence; and

1 (B) by striking subsection (d).

2 (b) DEFENSE ACQUISITION IMPROVEMENT ACT OF
3 1986.—Section 908 of the Defense Acquisition Improve-
4 ment Act of 1986 (10 U.S.C. 2326 note) is amended by
5 striking subsection (b).

6 (c) NATIONAL DEFENSE AUTHORIZATION ACT FOR
7 FISCAL YEAR 1994.—Section 542 of the National Defense
8 Authorization Act for Fiscal Year 1994 (Public Law 103–
9 160; 107 Stat. 1659; 10 U.S.C. 113 note) is repealed.

10 (d) NATIONAL DEFENSE AUTHORIZATION ACT FOR
11 FISCAL YEAR 1995.—Section 553(b) of the National De-
12 fense Authorization Act for Fiscal Year 1995 (Public Law
13 103–337; 108 Stat. 2772; 10 U.S.C. 6951 note) is amend-
14 ed by striking the last sentence.

15 (e) BALLISTIC MISSILE DEFENSE ACT OF 1995.—
16 Section 234 of the Ballistic Missile Defense Act of 1995
17 (Public Law 104–106; 110 Stat. 229, 231; 10 U.S.C.
18 2431 note) is amended by striking subsection (f).

19 (f) FLOYD D. SPENCE NATIONAL DEFENSE AU-
20 THORIZATION ACT FOR FISCAL YEAR 2001.—Section
21 1006 of the Floyd D. Spence National Defense Authoriza-
22 tion Act for Fiscal Year 2001 (Public Law 106–398 Ap-
23 pendix; 114 Stat. 1654A–247; 10 U.S.C. 2226 note) is
24 amended by striking subsection (c).

1 (g) DEPARTMENT OF DEFENSE APPROPRIATIONS
2 ACT, 2001.—Section 8019 of the Department of Defense
3 Appropriations Act, 2001 (Public Law 106–259; 114 Stat.
4 678; 10 U.S.C. 2687 note) is amended by striking the last
5 sentence.

6 (h) MILITARY CONSTRUCTION APPROPRIATIONS ACT,
7 2001.—Section 125 of the Military Construction Approp-
8 priations Act, 2001 (Division A of Public Law 106–246;
9 114 Stat. 517; 10 U.S.C. 2782 note) is repealed.

10 **SEC. 1012. FREQUENCY OF CERTAIN SURVEYS; SECTION 481**
11 **OF TITLE 10.**

12 (a) IN GENERAL.—Section 481 of title 10, United
13 States Code, is amended—

14 (1) in subsection (a), by striking “an annual
15 survey” and inserting “a survey not less than once
16 every four years”;

17 (2) in subsection (b)—

18 (A) by striking “annual”;

19 (B) by striking “the entity” and inserting
20 “an entity”; and

21 (C) by inserting a period after “Depart-
22 ment of Defense” and striking the remainder of
23 the sentence;

24 (3) in subsection (c), by striking “annual”; and

1 (4) in the catchline for the section by striking
2 “**annual**”.

3 (b) CLERICAL AMENDMENT.—In the table of sections
4 for chapter 23 of such title 10, in the item relating to
5 section 481, by striking “annual”.

6 **SEC. 1013. QUADRENNIAL DEFENSE REVIEW.**

7 Section 118(a) of title 10, United States Code, is
8 amended by striking “during a year” and inserting “dur-
9 ing the second year”.

10 **Subtitle C—Other Matters**

11 **SEC. 1021. EXPLOSIVES SAFETY BOARD.**

12 (a) CLARIFICATION OF AUTHORITY.—Section 172 of
13 title 10, United States Code, is amended—

14 (1) in the title by striking “Ammunition stor-
15 age” and inserting “Explosives safety”;

16 (2) by amending subsection (a) to read as fol-
17 lows:

18 “(a)(1) The Secretary of Defense is responsible for
19 ensuring the explosives safety of those military munitions
20 under his control.

21 “(2) The Secretary may address such safety, as di-
22 rected in paragraph (1), through a joint explosives safety
23 board.”; and

24 (3) in subsection (b), by striking “Secretaries of
25 the military departments in carrying out the rec-

1 ommendations in House Document No. 199 of the
2 Seventieth Congress” and inserting “Secretary of
3 Defense and other Department of Defense compo-
4 nents in implementing explosives safety standards”.

5 (b) CLERICAL AMENDMENT.—The table of sections
6 is amended by striking the item that refers to section 272
7 and inserting:

“272. Explosives safety board.”.

8 **SEC. 1022. AUTHORIZE ARMY AND AIR FORCE TO PROVIDE**
9 **BASE OPERATING SUPPORT TO FISHER**
10 **HOUSES.**

11 Section 2493(f) of title 10, United States Code, is
12 amended to read as follows:

13 “(f) BASE OPERATING SUPPORT.—The Secretary of
14 a military department may provide base operating support
15 for Fisher Houses associated with the military depart-
16 ment.”.

17 **SEC. 1023. ELIGIBILITY OF INTELLIGENCE SENIOR-LEVEL**
18 **EMPLOYEES FOR PRESIDENTIAL RANK**
19 **AWARDS.**

20 Section 1607 of title 10, United States Code, is
21 amended by adding at the end the following new sub-
22 section:

23 “(c) AWARD OF RANK TO INTELLIGENCE SENIOR
24 LEVEL EMPLOYEES.—The President, based on the rec-
25 ommendations of the Secretary of Defense, may award a

1 rank referred to in section 4507a of title 5 to Intelligence
2 Senior Level employees. The award of such rank shall be
3 made in a manner consistent with the provisions of that
4 section.”.

5 **SEC. 1024. AMENDMENT TO AUTHORITY FOR ACCEPTANCE**
6 **BY ASIA-PACIFIC CENTER FOR SECURITY**
7 **STUDIES OF FOREIGN GIFTS AND DONA-**
8 **TIONS.**

9 (a) IN GENERAL.—Section 2611 of title 10, United
10 States code, is amended—

11 (1) in the section heading, by striking “**for-**
12 **eign**”;

13 (2) in subsection (a)—

14 (A) in the catchline, by striking “FOR-
15 EIGN”;

16 (B) in paragraph (1)—

17 (i) by striking “foreign”; and

18 (ii) by adding at the end the following

19 new sentence:

20 “Such donations may be accepted from any agency
21 of the Federal Government, any State or local gov-
22 ernment, any foreign government, any foundation or
23 other charitable organization (including any that is
24 organized or operates under the laws of a foreign

1 country), or any other private source in the United
 2 States or a foreign country.”;

3 (3) in subsection (c), by striking “foreign”; and

4 (4) by striking subsection (f).

5 (b) CLERICAL AMENDMENT.—The table of sections
 6 for chapter 155 of such title 10 is amended with regard
 7 to the item that refers to section 2611 by striking “for-
 8 eign”.

9 **TITLE XI—MATTERS RELATING**
 10 **TO OTHER NATIONS**

11 **SEC. 1101. EXPANSION OF AUTHORITY TO CONDUCT THE**
 12 **ARCTIC MILITARY ENVIRONMENTAL CO-**
 13 **OPERATION PROGRAM.**

14 (a) IN GENERAL.—Subchapter II of chapter 138 of
 15 title 10, United States Code, is amended by adding at the
 16 end the following new section:

17 **“§ 23501. Arctic and Western Pacific military environ-**
 18 **mental cooperation program**

19 “(a) COOPERATIVE ENVIRONMENTAL PROGRAM.—
 20 Subject to subsection (b), the Secretary of Defense, with
 21 the concurrence of the Secretary of State, may conduct
 22 an Arctic and Western Pacific military environmental co-
 23 operation program.

24 “(b) ACTIVITIES UNDER PROGRAM.—(1) Subject to
 25 paragraph (2), activities under an Arctic and Western Pa-

1 cific military environmental cooperation program as au-
2 thorized in subsection (a) shall include cooperative and as-
3 sistance activities on environmental matters in the Arctic
4 and Western Pacific regions with the military departments
5 and agencies of other countries, including the Russian
6 Federation.

7 “(2) Activities under the Arctic and Western Pacific
8 Military Environmental Cooperation Program may not in-
9 clude any activities related to—

10 “(A) conducting any peacekeeping exercise or
11 other peacekeeping-related activity with Russia;

12 “(B) the provision of housing;

13 “(C) the provision of assistance to promote an
14 environmental restoration; or

15 “(D) the provision of assistance to promote job
16 retraining.”.

17 (b) CLERICAL AMENDMENT.—The table of sections
18 for subchapter II of chapter 138 of such title 10 is amend-
19 ed by inserting after the item relating to section 2350k,
20 the following new item:

“23501. Arctic and Western Pacific military environmental cooperation pro-
gram.”.

21 (c) CONFORMING AMENDMENT.—Section 327 of the
22 Strom Thurmond National Defense Authorization Act for
23 Fiscal Year 1999 (Public Law No. 105–261; 2112 Stat.
24 1965), is repealed.

1 **SEC. 1102. USE OF WARSAW INITIATIVE FUNDS FOR TRAVEL**
 2 **OF OFFICIALS FROM PARTNER COUNTRIES.**

3 Section 1051 of title 10, United States Code, is
 4 amended—

5 (1) by striking subsection (b); and

6 (2) by redesignating subsections (c) and (d) as
 7 subsections (b) and (c), respectively.

8 **DIVISION B—MILITARY CON-**
 9 **STRUCTION AUTHORIZA-**
 10 **TIONS**

11 **SEC. 2001. SHORT TITLE.**

12 This division may be cited as the “Military Construc-
 13 tion Authorization Act for Fiscal Year 2003”.

14 **TITLE XXI—ARMY**

15 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 16 **ACQUISITION PROJECTS.**

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

Army: Inside the United States

State	Installation or location	Amount
Alabama	Anniston Army Depot	\$1,900,000
Alaska	Fort Wainwright	\$110,100,000
Arkansas	Pine Bluff Arsenal	\$18,937,000

Army: Inside the United States—Continued

State	Installation or location	Amount
Colorado	Fort Carson	\$1,100,000
Georgia	Fort Benning	\$66,250,000
	Fort Stewart/Hunter Army Air Field.	\$26,000,000
Hawaii	Schofield Barracks	\$191,000,000
Kansas	Fort Riley	41,000,000
Kentucky	Blue Grass Army Depot	\$5,500,000
	Fort Campbell	\$99,000,000
Louisiana	Fort Polk	\$31,000,000
Maryland	Fort Detrick	19,700,000
Missouri	Fort Leonard Wood	\$15,500,000
New York	Fort Drum	\$1,500,000
North Carolina	Fort Bragg	\$67,500,000
Pennsylvania	Letterkenny Army Depot	\$1,550,000
Texas	Fort Hood	\$45,000,000
Washington	Fort Lewis	\$53,800,000
	Total	\$796,337,000

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 and 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
Belgium	Supreme Headquarters, Allied Pow- ers Europe	\$13,600,000
Germany	Area Support Group, Bamberg	\$17,200,000
	Darmstadt	\$3,500,000
	Grafenwoehr	\$69,866,000
	Mannheim	\$42,000,000
	Schweinfurt	\$2,000,000
Italy	Vicenza	\$34,700,000
Korea	Camp Carroll	\$20,000,000
	Camp Castle	\$6,800,000
	Camp Hovey	\$25,000,000
	Camp Humphreys	\$36,000,000
	Camp Henry	\$10,000,000
	K16 Airfield	\$40,000,000
Qatar	Qatar	\$8,600,000
	Total	\$329,466,000

1 (c) UNSPECIFIED WORLDWIDE.—Using the amounts
 2 appropriated pursuant to the authorization of appropria-
 3 tions in section 2104(a)(3), the Secretary of the Army
 4 may acquire real property and carry out military construc-
 5 tion projects for the installation and location, and in the
 6 amount, set forth in the following table:

Army: Unspecified Worldwide

Location	Installation	Amount
Unspecified Worldwide	Unspecified Worldwide	\$4,000,000

7 **SEC. 2102. FAMILY HOUSING.**

8 (a) CONSTRUCTION AND ACQUISITION.—Using
 9 amounts appropriated pursuant to the authorization of ap-
 10 propriations in section 2104(a)(6)(A), the Secretary of the
 11 Army may construct or acquire family housing units (in-
 12 cluding land acquisition and supporting facilities) at the
 13 installations, for the purposes, and in the amounts set
 14 forth in the following table:

Army: Family Housing

State or Country	Installation or loca- tion	Purpose	Amount
Alaska	Fort Wainwright	38 Units	\$17,752,000
Arizona	Yuma Proving Ground	33 Units	\$6,100,000
Germany	Stuttgart	1 Unit	\$990,000
Korea	Yongsan	10 Units	\$3,100,000
	Total:		\$27,942,000

15 (b) PLANNING AND DESIGN.—Using amounts appro-
 16 priated pursuant to the authorization of appropriations in
 17 section 2104(a)(6)(A), the Secretary of the Army may
 18 carry out architectural and engineering services and con-

1 construction design activities with respect to the construction
2 or improvement of family housing units in an amount not
3 to exceed \$15,653,000.

4 **SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
5 **UNITS.**

6 Subject to section 2825 of title 10, United States
7 Code, and using amounts appropriated pursuant to the
8 authorization of appropriations in section 2104(a)(6)(A),
9 the Secretary of the Army may improve existing military
10 family housing units in an amount not to exceed
11 \$239,751,000.

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

13 (a) IN GENERAL.—Funds are hereby authorized to
14 be appropriated for fiscal years beginning after September
15 30, 2002, for military construction, land acquisition, and
16 military family housing functions of the Department of the
17 Army in the total amount of \$2,282,141,000 as follows:

18 (1) For military construction projects inside the
19 United States authorized by section 2101(a),
20 \$628,337,000.

21 (2) For military construction projects outside
22 the United States authorized by section 2101(b),
23 \$329,466,000.

1 (3) For military construction projects at un-
2 specified worldwide locations authorized by section
3 2101(c), \$4,000,000.

4 (4) For unspecified minor construction projects
5 authorized by section 2805 of title 10, United States
6 Code, \$20,500,000.

7 (5) For architectural and engineering services
8 and construction design under section 2807 of title
9 10, United States Code, \$143,524,000.

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, \$283,346,000.

14 (B) For support of military family housing
15 (including the functions described in section
16 2833 of title 10, United States Code),
17 \$1,122,274,000.

18 (7) For the construction of phase 4 of an am-
19 munition demilitarization facility at Pueblo Chemical
20 Activity, Colorado, authorized by section 2401(a) of
21 the Military Construction Authorization Act for Fis-
22 cal Year 1997 (division B of Public Law 104–201;
23 110 Stat. 2775), as amended by section 2406 of the
24 Military Construction Authorization Act for Fiscal
25 Year 2000 (division B of Public Law 106–65; 113

1 Stat. 839) and section 2108 of this Act,
2 \$21,000,000.

3 (8) For the construction of phase 5 of an am-
4 munition demilitarization facility at Newport Army
5 Depot, Indiana, authorized by section 2401(a) of the
6 Military Construction Authorization Act for Fiscal
7 Year 1999 (division B of Public Law 105–261; 112
8 Stat. 2193), \$42,000,000.

9 (9) For the construction of phase 5 of an am-
10 munition demilitarization facility at Aberdeen Prov-
11 ing Ground, Maryland, authorized by section
12 2401(a) of the Military Construction Authorization
13 Act for Fiscal Year 1999, as amended by section
14 2406 of the Military Construction Authorization Act
15 for Fiscal Year 2002 (division B of Public Law 107–
16 107; 115 Stat. 1299), \$30,600,000.

17 (10) For the construction of phase 3 of an am-
18 munition demilitarization facility at Blue Grass
19 Army Depot, Kentucky, authorized by section
20 2401(a) of the Military Construction Authorization
21 Act for Fiscal Year 2000 (113 Stat. 835), as
22 amended by section 2405 of the Military Construc-
23 tion Authorization Act for Fiscal Year 2002 (115
24 Stat. 1298) and section 2106 of this Act,
25 \$10,300,000.

1 (11) For the construction of phase 3 of an am-
2 munition demilitarization support facility at Blue
3 Grass Army Depot, Kentucky, authorized by section
4 2401(a) of the Military Construction Authorization
5 Act for Fiscal Year 2000, \$8,300,000.

6 (12) For the construction of phase 3 of a bar-
7 racks complex, Butner Road, at Fort Bragg, North
8 Carolina, authorized by section 2101(a) of the Mili-
9 tary Construction Authorization Act for Fiscal Year
10 2001 (division B of the Floyd D. Spence National
11 Defense Authorization Act for Fiscal Year 2001, as
12 enacted into law by Public Law 106–398; 114 Stat.
13 1654A–389), \$50,000,000.

14 (13) For the construction of phase 2 of a bar-
15 racks complex, D Street, at Fort Richardson, Alas-
16 ka, authorized by section 2101(a) of the Military
17 Construction Authorization Act for Fiscal Year 2002
18 (115 Stat. 1280), \$21,000,000.

19 (14) For the construction of phase 2 of a bar-
20 racks complex, Nelson Boulevard, at Fort Carson,
21 Colorado, authorized by section 2101(a) of the Mili-
22 tary Construction Authorization Act for Fiscal Year
23 2002, as amended by section 2105 of this Act,
24 \$42,000,000.

1 (15) For the construction of phase 2 of a basic
2 combat trainee complex at Fort Jackson, South
3 Carolina, authorized by section 2101(a) of the Mili-
4 tary Construction Authorization Act for Fiscal Year
5 2002, as amended by section 2105 of this Act,
6 \$39,000,000.

7 (16) For the construction of phase 2 of a bar-
8 racks complex, 17th and B Streets at Fort Lewis,
9 Washington, authorized by section 2101(a) of the
10 Military Construction Authorization Act for Fiscal
11 Year 2002, \$50,000,000.

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

18 (1) the total amount authorized to be appro-
19 priated under paragraphs (1), (2), and (3) of sub-
20 section (a);

21 (2) \$18,000,000 (the balance of the amount au-
22 thorized under section 2101(a) for construction of a
23 barracks complex, Main Post, at Fort Benning,
24 Georgia);

1 (3) \$100,000,000 (the balance of the amount
2 authorized under section 2101(a) for construction of
3 a barracks complex, Capron Avenue, at Schofield
4 Barracks, Hawaii); and

5 (4) \$50,000,000 (the balance of the amount au-
6 thorized under section 2101(a) for construction of a
7 barracks complex, Range Road, at Fort Campbell,
8 Kentucky).

9 **SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT**
10 **CERTAIN FISCAL YEAR 2002 PROJECTS.**

11 (a) **MODIFICATION.**—The table in section 2101(a) of
12 the Military Construction Authorization Act for Fiscal
13 Year 2002 (division B of Public Law 107–107; 115 Stat.
14 1281) is amended—

15 (1) in the item relating to Fort Carson, Colo-
16 rado, by striking “\$66,000,000” in the amount col-
17 umn and inserting “\$67,000,000”; and

18 (2) in the item relating to Fort Jackson, South
19 Carolina, by striking “\$65,650,000” in the amount
20 column and inserting “\$68,650,000”.

21 (b) **CONFORMING AMENDMENTS.**—Section 2104(b)
22 of that Act (115 Stat. 1284) is amended—

23 (1) in paragraph (3), by striking
24 “\$41,000,000” and inserting “\$42,000,000”; and

1 (2) in paragraph (4), by striking
2 “\$36,000,000” and inserting “\$39,000,000”.

3 **SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT**
4 **CERTAIN FISCAL YEAR 2000 PROJECT.**

5 (a) MODIFICATION.—The table in section 2401(a) of
6 the Military Construction Authorization Act for Fiscal
7 Year 2000 (division B of Public Law 106–65; 113 Stat.
8 835), as amended by section 2405 of the Military Con-
9 struction Authorization Act for Fiscal Year 2002 (division
10 B of Public Law 107–107; 115 Stat. 1298), is further
11 amended—

12 (1) under the agency heading relating to Chem-
13 ical Demilitarization, in the item relating to Blue
14 Grass Army Depot, Kentucky, by striking
15 “\$254,030,000” in the amount column and inserting
16 “\$290,325,000”; and

17 (2) by striking the amount identified as the
18 total in the amount column and inserting
19 “\$748,245,000”.

20 (b) CONFORMING AMENDMENT.—Section 2405(b)(3)
21 of that Act (113 Stat. 839), as so amended, is further
22 amended by striking “\$231,230,000” and inserting
23 “\$267,525,000”.

1 **SEC. 2107. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **CERTAIN FISCAL YEAR 1999 PROJECT.**

3 (a) MODIFICATION.—The table in section 2401(a) of
4 the Military Construction Authorization Act for Fiscal
5 Year 1999 (division B of Public Law 105–261; 112 Stat.
6 2193) is amended—

7 (1) under the agency heading relating to Chem-
8 ical Demilitarization, in the item relating to Newport
9 Army Depot, Indiana, by striking “\$191,550,000”
10 in the amount column and inserting
11 “\$293,853,000”; and

12 (2) by striking the amount identified as the
13 total in the amount column and inserting
14 “\$829,919,000”.

15 (b) CONFORMING AMENDMENT.—Section 2404(b)(2)
16 of that Act (112 Stat. 2196) is amended by striking
17 “\$162,050,000” and inserting “\$264,353,000”.

18 **SEC. 2108. MODIFICATION OF AUTHORITY TO CARRY OUT**
19 **CERTAIN FISCAL YEAR 1997 PROJECT.**

20 (a) MODIFICATION.—The table in section 2401(a) of
21 the Military Construction Authorization Act for Fiscal
22 Year 1997 (division B of Public Law 104–201; 110 Stat.
23 2775), as amended by section 2406 of the Military Con-
24 struction Authorization Act for Fiscal Year 2000 (division
25 B of Public Law 106–65; 113 Stat. 839), is further
26 amended—

1 (1) under the agency heading relating to Chem-
 2 ical Demilitarization Program, in the item relating
 3 to Pueblo Chemical Activity, Colorado, by striking
 4 “\$203,500,000” in the amount column and inserting
 5 “\$261,000,000”; and

6 (2) by striking the amount identified as the
 7 total in the amount column and inserting
 8 “\$607,454,000”.

9 (b) CONFORMING AMENDMENT.—Section 2406(b)(2)
 10 of that Act (110 Stat. 2779), as so amended, is further
 11 amended by striking “\$203,500,000” and inserting
 12 “\$261,000,000”.

13 **TITLE XXII—NAVY**

14 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND** 15 **ACQUISITION PROJECTS.**

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

Navy: Inside the United States

State	Installation or location	Amount
Arizona	Marine Corps Air Station, Yuma	\$3,000,000
California	Auxiliary Landing Field, San Diego (San Clemente Island).	\$6,150,000
	Marine Corps Air Station, Camp Pen- dleton.	\$11,930,000

Navy: Inside the United States—Continued

State	Installation or location	Amount
	Marine Corps Air Station, Miramar	\$8,700,000
	Marine Corps Air-Ground Combat Center, Twentynine Palms.	\$25,770,000
	Marine Corps Base, Camp Pendleton	\$64,040,000
	Naval Air Station, Lemoore	\$16,520,000
	Naval Air Warfare Center, Point Mugu, San Nicholas Island.	\$6,760,000
	Naval Station, San Diego	\$3,530,000
District of Columbia	Marine Corps Barracks	\$3,700,000
Florida	Naval Air Station, Pensacola	\$990,000
	Naval School Explosive Ordnance Detachment, Eglin.	\$6,350,000
Hawaii	Naval Station, Pearl Harbor	\$10,490,000
Illinois	Naval Training Center, Great Lakes	\$85,100,000
Maine	Naval Shipyard, Kittery-Portsmouth	\$11,600,000
Maryland	Naval Air Facility, Andrews Air Force Base.	\$9,680,000
Mississippi	Naval Construction Battalion Center, Gulfport.	\$5,460,000
	Naval Station, Pascagoula	\$4,160,000
North Carolina	Marine Corps Air Station, Cherry Point	\$6,040,000
	Marine Corps Air Station, New River	\$6,920,000
	Marine Corps Base, Camp LeJeune	\$5,370,000
South Carolina	Marine Corps Air Station, Beaufort	\$13,700,000
	Marine Corps Recruit Depot, Parris Island.	\$10,490,000
Texas	Naval Air Station, Kingsville	\$6,210,000
Virginia	Marine Corps Combat Development Command, Quantico.	\$19,554,000
	Naval Air Station, Oceana	\$2,000,000
	Naval Shipyard, Norfolk, Portsmouth	\$19,660,000
	Naval Station, Norfolk	\$158,640,000
	Naval Surface Warfare Center, Dahlgren	\$9,230,000
	Naval Weapons Station, Yorktown	\$15,020,000
Washington	Naval Air Station, Whidbey Island	\$9,180,000
	Naval Magazine, Indian Island	\$4,030,000
	Naval Station, Bremerton	\$43,670,000
	Naval Submarine Base, Bangor	\$5,900,000
	Puget Sound Naval Shipyard, Bremerton	\$54,132,000
	Strategic Weapons Facility, Bangor	\$7,340,000
Various Locations	Host Nation Infrastructure	\$682,016,000
	Total	\$682,016,000

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

Navy: Outside the United States

Country	Installation or location	Amount
Bahrain	Naval Support Activity, Bahrain	\$25,970,000
Diego Garcia	Diego Garcia, Naval Support Facility	\$11,090,000
Greece	Naval Support Activity, Joint Headquarters Command, Larissa.	\$14,800,000
Guam	Commander, United States Naval Forces, Guam.	\$13,400,000
Iceland	Naval Air Station, Keflavik	\$14,920,000
Italy	Naval Air Station, Sigonella	\$55,660,000
Spain	Joint Headquarters Command, Madrid ..	\$2,890,000
	Total	\$138,730,000

1 SEC. 2202. FAMILY HOUSING.

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

Navy: Family Housing

State or Country	Installation or location	Purpose	Amount
California	Naval Air Station, Lemoore.	178 Units	\$40,981,000
	Twentynine Palms	76 Units	\$19,425,000
Connecticut	Naval Submarine Base, New London.	100 Units	\$24,415,000
Florida	Naval Station, Mayport	1 Unit	\$329,000
Hawaii	Marine Corps Base, Kaneohe Bay.	65 Units	\$24,797,000
Mississippi	Naval Air Station, Me- ridian.	56 Units	\$9,755,000
North Carolina	Marine Corps Base, Camp LeJeune.	317 Units	\$43,650,000
Virginia	Marine Corps Base, Quantico.	290 Units	\$41,843,000
Greece	Naval Support Activity Joint Headquarters Command, Larissa.	2 Units	\$1,232,000
United Kingdom	Joint Maritime Facility, St. Mawgan.	62 Units	\$18,524,000
		Total	\$224,951,000

1 (b) PLANNING AND DESIGN.—Using amounts appro-
2 priated pursuant to the authorization of appropriation in
3 section 2204(a)(5)(A), the Secretary of the Navy may
4 carry out architectural and engineering services and con-
5 struction design activities with respect to the construction
6 or improvement of military family housing units in an
7 amount not to exceed \$11,281,000.

8 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
9 **UNITS.**

10 Subject to section 2825 of title 10, United States
11 Code, and using amounts appropriated pursuant to the
12 authorization of appropriations in section 2204(a)(5)(A),
13 the Secretary of the Navy may improve existing military
14 family housing units in an amount not to exceed
15 \$139,468,000.

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

17 (a) IN GENERAL.—Funds are hereby authorized to
18 be appropriated for fiscal years beginning after September
19 30, 2002, for military construction, land acquisition, and
20 military family housing functions of the Department of the
21 Navy in the total amount of \$2,138,619,000, as follows:

22 (1) For military construction projects inside the
23 United States authorized by section 2201(a),
24 \$633,616,000.

1 (2) For military construction projects outside
2 the United States authorized by section 2201(b),
3 \$136,160,000.

4 (3) For unspecified minor construction projects
5 authorized by section 2805 of title 10, United States
6 Code, \$23,262,000.

7 (4) For architectural and engineering services
8 and construction design under section 2807 of title
9 10, United States Code, \$68,573,000.

10 (5) 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, \$375,700,000.

14 (B) For support of military family housing
15 (including functions described in section 2833
16 of title 10, United States Code), \$867,788,000.

17 (6) For replacement of a pier at Naval Station,
18 Norfolk, Virginia, authorized in section 2201(a) of
19 the Military Construction Authorization Act for Fis-
20 cal Year 2002 (division B of Public Law 107–107;
21 115 Stat. 1287), as amended by section 2205 of this
22 Act, \$33,520,000.

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

1 any other cost variation authorized by law, the total cost
2 of all projects carried out under section 2201 of this Act
3 may not exceed—

4 (1) the total amount authorized to be appro-
5 priated under paragraphs (1) and (2) of subsection
6 (a):

7 (2) \$48,120,000 (the balance of the amount au-
8 thorized under section 2201(a) for a bachelors en-
9 listed quarters shipboard ashore, Naval Station,
10 Norfolk, Virginia); and

11 (3) \$2,570,000 (the balance of the amount au-
12 thorized under section 2201(b) for a quality of life
13 support facility, Naval Air Station Sigonella, Italy).

14 **SEC. 2205. MODIFICATION TO CARRY OUT CERTAIN FISCAL**
15 **YEAR 2002 PROJECT.**

16 (a) MODIFICATION.—The table in section 2201(a) of
17 the Military Construction Authorization Act for Fiscal
18 Year 2002 (division B of Public Law 107–107; 115 Stat.
19 1286) is amended—

20 (1) in the item relating to Naval Station, Nor-
21 folk, Virginia, by striking “\$139,270,000” in the
22 amount column and inserting “\$139,550,000”; and

23 (2) by striking the amount identified as the
24 total in the amount column and inserting
25 “\$1,059,030,000”.

1 (b) CONFORMING AMENDMENT.—Section 2204(b)(2)
 2 of that Act (115 Stat. 1289) is amended by striking
 3 “\$33,240,000” and inserting “\$33,520,000”.

4 **TITLE XXIII—AIR FORCE**

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

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

Air Force: Inside the United States

State	Installation or location	Amount
Alaska	Clear Air Station	\$14,400,000
	Eielson Air Force Base	\$21,600,000
Arizona	Davis-Monthan Air Force Base	\$19,270,000
Arkansas	Little Rock Air Force Base	\$25,600,000
California	Beale Air Force Base	\$11,740,000
	Vandenberg Air Force Base	\$10,500,000
Colorado	Buckley Air National Guard Base ...	\$17,700,000
Florida	Hurlburt Field	\$9,000,000
Louisiana	Barksdale Air Force Base	\$10,900,000
Massachusetts	Hanscom Air Force Base	\$7,700,000
Mississippi	Keesler Air Force Base	\$22,000,000
Nevada	Nellis Air Force Base	\$30,450,000
New Jersey	McGuire Air Force Base	\$24,631,000
North Carolina	Pope Air Force Base	\$9,700,000
Ohio	Wright-Patterson Air Force Base ...	\$10,400,000
Texas	Lackland Air Force Base	\$18,500,000
	Sheppard Air Force Base	\$16,000,000
Virginia	Langley Air Force Base	\$47,940,000
	Total	\$328,031,000

14 (b) OUTSIDE THE UNITED STATES.—Using amounts
 15 appropriated pursuant to the authorization of appropria-
 16 tions in section 2304(a)(2), the Secretary of the Air Force

1 may acquire real property and carry out military construc-
 2 tion projects for the installations and locations outside the
 3 United States, and in the amounts, set forth in the fol-
 4 lowing table:

Air Force: Outside the United States

Country	Installation or location	Amount
Diego Garcia	Diego Garcia	\$17,100,000
Germany	Ramstein Air Force Base	\$70,183,000
Guam	Andersen Air Force Base	\$16,000,000
Korea	Osan Air Base	\$15,100,000
Spain	Naval Station, Rota	\$31,818,000
United Kingdom	Royal Air Force, Fairford	\$19,000,000
	Royal Air Force, Lakenheath	\$13,400,000
Wake Island	Wake Island	\$24,900,000
	Total	\$207,501,000

5 (c) UNSPECIFIED WORLDWIDE.—Using the amounts
 6 appropriated pursuant to the authorization of appropria-
 7 tions in section 2304(a)(3), the Secretary of the Air Force
 8 may acquire real property and carry out military construc-
 9 tion projects for the installation and location, and in the
 10 amount, set forth in the following table:

Air Force: Unspecified Worldwide

Location	Installation	Amount
Unspecified Worldwide	Classified Location	\$55,562,000
	Total	\$55,562,000

11 **SEC. 2302. FAMILY HOUSING.**

12 (a) CONSTRUCTION AND ACQUISITION.—Using
 13 amounts appropriated pursuant to the authorization of ap-
 14 propriations in section 2304(a)(6)(A), the Secretary of the
 15 Air Force may construct or acquire family housing units
 16 (including land acquisition and supporting facilities) at the

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

Air Force: Family Housing

State or Country	Installation or location	Purpose	Amount
Arizona	Luke Air Force Base ..	140 Units	\$18,954,000
California	Travis Air Force Base	110 Units	\$24,320,000
Colorado	Peterson Air Force Base.	2 Units	\$959,000
	United States Air Force Academy.	71 Units	\$12,424,000
Delaware	Dover Air Force Base	112 Units	\$19,615,000
Florida	Eglin Air Force Base ..	Housing Office	\$597,000
	Eglin Air Force Base ..	134 Units	\$15,906,000
	MacDill Air Force Base.	96 Units	\$18,086,000
Hawaii	Hickam Air Force Base.	96 Units	\$29,050,000
Idaho	Mountain Home Air Force Base.	95 Units	\$24,392,000
Kansas	McConnell Air Force Base.	Housing Main- tenance Fa- cility.	\$1,514,000
Maryland	Andrews Air Force Base.	53 Units	\$9,838,000
	Andrews Air Force Base.	52 Units	\$8,807,000
Mississippi	Columbus Air Force Base.	Housing Office	\$412,000
	Keesler Air Force Base	117 Units	\$16,505,000
Missouri	Whiteman Air Force Base.	22 Units	\$3,977,000
Montana	Malmstrom Air Force Base.	18 Units	\$4,717,000
New Mexico	Holloman Air Force Base.	101 Units	\$20,161,000
North Carolina	Pope Air Force Base ...	Housing Main- tenance Fa- cility.	\$991,000
	Seymour Johnson Air Force Base.	126 Units	\$18,615,000
North Dakota	Grand Forks Air Force Base.	150 Units	\$30,140,000
	Minot Air Force Base	112 Units	\$21,428,000
	Minot Air Force Base	102 Units	\$20,315,000
Oklahoma	Vance Air Force Base	59 Units	\$11,423,000
South Dakota	Ellsworth Air Force Base.	Housing Main- tenance Fa- cility.	\$447,000
	Ellsworth Air Force Base.	22 Units	\$4,794,000
Texas	Dyess Air Force Base	85 Units	\$14,824,000
	Randolph Air Force Base.	Housing Main- tenance Fa- cility.	\$447,000
	Randolph Air Force Base.	112 Units	\$14,311,000
Virginia	Langley Air Force Base.	Housing Office	\$1,193,000
Germany	Ramstein Air Force Base.	19 Units	\$8,534,000
Korea	Osan Air Base	113 Units	\$35,705,000

Air Force: Family Housing—Continued

State or Country	Installation or location	Purpose	Amount
United Kingdom	Osan Air Base	Housing Supply Warehouse.	\$834,000
	Royal Air Force Lakenheath.	Housing Office and Maintenance Facility.	\$2,203,000
	Total		\$416,438,000

1 (b) **PLANNING AND DESIGN.**—Using amounts appro-
2 priated pursuant to the authorization of appropriations in
3 section 2304(a)(6)(A), the Secretary of the Air Force may
4 carry out architectural and engineering services and con-
5 struction design activities with respect to the construction
6 or improvement of military family housing units in an
7 amount not to exceed \$34,188,000.

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

10 Subject to section 2825 of title 10, United States
11 Code, and using amounts appropriated pursuant to the
12 authorization of appropriations in section 2304(a)(6)(A),
13 the Secretary of the Air Force may improve existing mili-
14 tary family housing units in an amount not to exceed
15 \$226,068,000.

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

18 (a) **IN GENERAL.**—Funds are hereby authorized to
19 be appropriated for fiscal years beginning after September
20 30, 2002, for military construction, land acquisition, and

1 military family housing functions of the Department of the
2 Air Force in the total amount of \$2,165,203,000, as fol-
3 lows:

4 (1) For military construction projects inside the
5 United States authorized by section 2301(a),
6 \$328,031,000.

7 (2) For military construction projects outside
8 the United States authorized by section 2301(b),
9 \$207,501,000.

10 (3) For the military construction projects at
11 unspecified worldwide locations authorized by section
12 2301(c), \$55,562,000.

13 (4) For unspecified minor construction projects
14 authorized by section 2805 of title 10, United States
15 Code, \$11,500,000.

16 (5) For architectural and engineering services
17 and construction design under section 2807 of title
18 10, United States Code, \$41,496,000.

19 (6) For military housing functions:

20 (A) For construction and acquisition, plan-
21 ning and design, and improvement of military
22 family housing and facilities, \$676,694,000.

23 (B) For support of military family housing
24 (including functions described in section 2833
25 of title 10, United States Code), \$844,419,000.

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 2301 of this Act
 6 may not exceed the total amount authorized to be appro-
 7 priated under paragraphs (1), (2) and (3) of subsection
 8 (a).

9 **TITLE XXIV—DEFENSE**
 10 **AGENCIES**

11 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
 12 **TION AND LAND ACQUISITION PROJECTS.**

13 (a) INSIDE THE UNITED STATES.—Using amounts
 14 appropriated pursuant to the authorization of appropria-
 15 tions in section 2404(a)(1), the Secretary of Defense may
 16 acquire real property and carry out military construction
 17 projects for the installations and locations inside the
 18 United States, and in the amounts, set forth in the fol-
 19 lowing table:

Defense Agencies: Inside the United States

Agency	Installation or location	Amount
Missile Defense Agency	Kauai, Hawaii	\$23,400,000
Defense Intelligence Agency	Bolling Air Force Base, District of Columbia.	\$121,958,000
Defense Logistics Agency	Columbus, Ohio	\$5,021,000
	Defense Supply Center, Richmond, Virginia	\$5,500,000
	Naval Air Station, New Orleans, Louisiana	\$9,500,000
	Travis Air Force Base, California	\$16,000,000
Defense Threat Reduction Agency.	Fort Belvoir, Virginia	\$76,388,000
Department of Defense De- pendents Schools.	Fort Bragg, North Carolina	\$1,825,000

Defense Agencies: Inside the United States—Continued

Agency	Installation or location	Amount
National Security Agency Special Operations Command	Fort Jackson, South Carolina	\$2,247,000
	Marine Corps Base, Camp LeJeune, North Carolina	\$10,884,000
	Marine Corps Base, Quantico, Vir- ginia	\$1,272,000
	United States Military Academy, West Point, New York	\$3,898,000
	Fort Meade, Maryland	\$4,484,000
	Fort Bragg, North Carolina	\$30,800,000
	Hurlburt Field, Florida	\$11,100,000
	Naval Amphibious Base, Little Creek, Virginia	\$14,300,000
	Elmendorf Air Force Base, Alaska ..	\$10,400,000
	Hickam Air Force Base, Hawaii	\$2,700,000
TRICARE Management Ac- tivity.	Arlington, Virginia	\$18,000,000
Washington Headquarters Services.	Washington Headquarters Services, District of Columbia.	\$2,500,000
	Total	\$372,177,000

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

Defense Agencies: Outside the United States

Agency	Installation or location	Amount
Defense Logistics Agency	Andersen Air Force Base, Guam	\$17,586,000
	Lajes Field, Azores, Portugal	\$19,000,000
	Naval Forces Marianas Islands, Guam	\$6,000,000
	Naval Station, Rota, Spain	\$23,400,000
	Royal Air Force, Fairford, United Kingdom	\$17,000,000
	Yokota Air Base, Japan	\$23,000,000
	Kaiserslautern, Germany	\$858,000
Department of Defense De- pendents Schools.	Lajes Field, Azores, Portugal	\$1,069,000
	Seoul, Korea	\$28,409,000
	Supreme Headquarters, Allied Powres Europe, Belgium	\$1,410,000
	Spangdahlem Air Base, Germany	\$894,000
	Vicenza, Italy	\$1,898,000
TRICARE Management Ac- tivity.	Naval Support Activity, Naples, Italy.	\$41,449,000

Defense Agencies: Outside the United States—Continued

Agency	Installation or location	Amount
	Spangdahlem Air Base, Germany	\$39,629,000
	Total	\$221,602,000

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

3 Subject to section 2825 of title 10, United States
4 Code, and using amounts appropriated pursuant to the
5 authorization of appropriations in section 2404(a)(8)(A),
6 the Secretary of Defense may improve existing military
7 family housing units in an amount not to exceed
8 \$5,530,000.

9 **SEC. 2403. ENERGY CONSERVATION PROJECTS.**

10 Using amounts appropriated pursuant to the author-
11 ization of appropriations in section 2404(a)(4), the Sec-
12 retary of Defense may carry out energy conservation
13 projects under section 2865 of title 10, United States
14 Code, in the amount of \$49,531,000.

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

17 (a) IN GENERAL.—Funds are hereby authorized to
18 be appropriated for fiscal years beginning after September
19 30, 2002, for military construction, land acquisition, and
20 military family housing functions of the Department of
21 Defense (other than the military departments) in the total
22 amount of \$1,282,585,000, as follows:

1 (1) For military construction projects inside the
2 United States authorized by section 2401(a),
3 \$335,577,000.

4 (2) For military construction projects outside
5 the United States authorized by section 2401(b),
6 \$221,602,000.

7 (3) For unspecified minor construction projects
8 under section 2805 of title 10, United States Code,
9 \$16,293,000.

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

13 (5) For architectural and engineering services
14 and construction design under section 2807 of title
15 10, United States Code, \$44,132,000.

16 (6) For energy conservation projects authorized
17 by section 2403 of this Act, \$49,531,000.

18 (7) For base closure and realignment activities
19 as authorized by the Defense Base Closure and Re-
20 alignment Act of 1990 (part A of title XXIX of
21 Public Law 101–510; 10 U.S.C. 2687 note),
22 \$545,138,000.

23 (8) For military family housing functions:

24 (A) For improvement of military family
25 housing and facilities, \$5,480,000.

1 (B) For support of military family housing
2 (including functions described in section 2833
3 of title 10, United States Code), \$42,432,000.

4 (C) For credit to the Department of De-
5 fense Housing Improvement Fund established
6 by section 2883(a) of title 10, United States
7 Code, as amended by section 2801(e) of this
8 Act, \$2,000,000.

9 (9) For payment of a claim against the Hos-
10 pital Replacement project at Elmendorf Air Force
11 Base, Alaska, \$10,400,000.

12 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
13 PROJECTS.—Notwithstanding the cost variations author-
14 ized by section 2853 of title 10, United States Code, and
15 any other cost variation authorized by law, the total cost
16 of all projects carried out under section 2401 of this Act
17 may not exceed—

18 (1) the total amount authorized to be appro-
19 priated under paragraphs (1) and (2) of subsection
20 (a); and

21 (2) \$26,200,000 (the balance of the amount au-
22 thorized under section 2401(a) for the construction
23 of the Defense Threat Reduction Center, Fort
24 Belvoir, Virginia).

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, 2002, 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 \$168,200,000.

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

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

5 (a) IN GENERAL.—There are authorized to be appro-
6 priated for fiscal years beginning after September 30,
7 2002, for the costs of acquisition, architectural and engi-
8 neering services, and construction of facilities for the
9 Guard and Reserve Forces, and for contributions therefor,
10 under chapter 1803 of title 10, United States Code (in-
11 cluding the cost of acquisition of land for those facilities),
12 the following amounts:

13 (1) For the Department of the Army—

14 (A) for the Army National Guard of the
15 United States, \$101,595,000; and

16 (B) for the Army Reserve, \$58,779,000.

17 (2) For the Department of the Navy, for the
18 Naval and Marine Corps Reserve, \$51,554,000.

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

20 (A) for the Air National Guard of the
21 United States, \$53,473,000; and

22 (B) for the Air Force Reserve,
23 \$31,900,000.

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, 2005; or

16 (2) the date of the enactment of an Act author-
17 izing funds for military construction for fiscal year
18 2006.

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 been
25 obligated before the later of—

- 1 (1) October 1, 2005; or
- 2 (2) the date of the enactment of an Act author-
- 3 ized funds for fiscal year 2005 for military construc-
- 4 tion projects, land acquisition, family housing
- 5 projects and facilities, and contributions to the
- 6 North Atlantic Treaty Organization Security Invest-
- 7 ment program.

8 **SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 9 **FISCAL YEAR 2000 PROJECTS.**

10 (a) **EXTENSION OF CERTAIN PROJECTS.**—Notwith-

11 standing section 2701 of the Military Construction Au-

12 thorization Act for Fiscal Year 2000 (division B of Public

13 Law 106–65; 113 Stat. 841), authorizations set forth in

14 the tables in subsection (b), as provided in section 2302

15 or 2601 of that Act, shall remain in effect until October

16 1, 2003, or the date of the enactment of an Act author-

17 izing funds for military construction for fiscal year 2004,

18 whichever is later.

19 (b) **TABLES.**—The tables referred to in subsection (a)

20 are as follows:

Air Force: Extension of 2000 Project Authorization

State	Installation or loca- tion	Project	Amount
Oklahoma	Tinker Air Force Base	Replace Family Housing (41 Units).	\$6,000,000

Army National Guard: Extension of 2000 Project Authorization

State	Installation or location	Project	Amount
Virginia	Fort Pickett	Multi-Purpose Range Complex-Heavy.	\$13,500,000

1 (c) EXTENSION OF ADDITIONAL PROJECT.—Not-
2 withstanding any other provision of law, the authorization
3 set forth in the table in subsection (d), as provided in sec-
4 tion 8160 of the Department of Defense Appropriations
5 Act, 2000 (Public Law 106–79; 113 Stat. 1274), shall re-
6 main in effect until October 1, 2003, or the date of the
7 enactment of an Act authorizing funds for military con-
8 struction for fiscal year 2004, whichever is later.

9 (d) TABLE FOR EXTENSION OF ADDITIONAL
10 PROJECT.—The table referred to in subsection (c) is as
11 follows:

Army National Guard: Extension of 2000 Project Authorization

State	Installation or location	Project	Amount
Pennsylvania	Connellsville	Readiness Center.	\$1,700,000

12 **SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
13 **FISCAL YEAR 1999 PROJECTS.**

14 (a) EXTENSION.—Notwithstanding section 2701 of
15 the Military Construction Authorization Act for Fiscal
16 Year 1999 (division B of Public Law 105–261; 112 Stat.
17 2199), authorizations set forth in the table in subsection
18 (b), as provided in section 2302 of that Act and extended
19 by section 2702 of the Military Construction Authoriza-

1 tion Act for Fiscal Year 2002 (division B of Public Law
 2 107–107; 115 Stat. 1301), shall remain in effect until Oc-
 3 tober 1, 2003, or the date of the enactment of an Act
 4 authorizing funds for military construction for fiscal year
 5 2004, whichever is later.

6 (b) TABLE.—The table referred to in subsection (a)
 7 is as follows:

Air Force: Extension of 1999 Project Authorizations

State	Installation or location	Project	Amount
Delaware	Dover Air Force Base	Replace Family Housing (55 Units).	\$8,988,000
Florida	Patrick Air Force Base	Replace Family Housing (46 Units).	\$9,692,000
New Mexico	Kirtland Air Force Base.	Replace Family Housing (37 Units).	\$6,400,000
Ohio	Wright-Patterson Air Force Base.	Replace Family Housing (40 Units).	\$5,600,000

8 **SEC. 2704. EFFECTIVE DATE.**

9 Titles XXI, XXII, XXIII, XXIV, XXV, XXVI, and
 10 XXVII of this Act shall take effect on the later of—

11 (1) October 1, 2002; or

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

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

5 **SEC. 2801. ALTERNATIVE AUTHORITY FOR ACQUISITION**
6 **AND IMPROVEMENT OF MILITARY HOUSING.**

7 (a) UTILITIES AND SERVICES.—Section 2872a(b) of
8 title 10, United States Code, is amended by adding the
9 following new paragraphs at the end thereof:

10 “(11) Fire fighting and Protection.

11 “(12) Police Protection.”.

12 (b) LEASING OF HOUSING.—(1) Section 2874(a) of
13 title 10, United States Code, is amended—

14 (A) by striking “to be constructed” in the
15 heading; and

16 (B) by striking “military family housing
17 units or military unaccompanied housing units
18 to be constructed under this subchapter.” and
19 inserting “housing units that the Secretary de-
20 termines are suitable for use as military family
21 housing or military unaccompanied housing.”.

22 (2) The table of sections for subchapter IV of
23 chapter 169 of title 10, United States Code, is

1 amended by striking the item relating to section
2 2874 and inserting the following:

“2874. Leasing of housing.”.

3 (c) INTERIM LEASES.—(1) Section 2879 of title 10,
4 United States Code, is repealed.

5 (2) The table of sections for subchapter IV of Chap-
6 ter 169 of title 10, United States Code, is amended by
7 striking the item relating to section 2879.

8 (d) UNIT SIZE AND TYPE.—Section 2880(b)(2) of
9 title 10, United States Code, is amended by striking “un-
10 less the unit is located on a military installation”.

11 (e) DEPARTMENT OF DEFENSE HOUSING FUND.—
12 (1) Section 2883 of title 10, United States Code, is
13 amended—

14 (A) by striking subsections (a), (b), and (c);
15 and

16 (B) by inserting at the beginning the following
17 new subsections (a) and (b):

18 “(a) ESTABLISHMENT.—There is hereby established
19 on the books of the Treasury the Department of Defense
20 Housing Improvement Fund.

21 “(b) CREDITS TO FUNDS.—There shall be credited
22 to the Department of Defense Housing Improvement
23 Fund the following:

24 “(1) Amounts authorized for and appropriated
25 to that Fund.

1 “(2) Subject to subsection (e), any amounts
2 that the Secretary of Defense transfers, in such
3 amounts as provided in appropriation Acts to that
4 Fund from amounts authorized and appropriated to
5 the Department of Defense for the acquisition or
6 construction of military family housing or military
7 unaccompanied housing.

8 “(3) Proceeds from the conveyance or lease of
9 property or facilities under section 2878 of this title
10 for the purpose of carrying out activities under this
11 subchapter with respect to military family housing
12 or military unaccompanied housing.

13 “(4) Income derived from any activities under
14 this subchapter with respect to military family hous-
15 ing or military unaccompanied housing, income and
16 gains realized from investments under section 2875
17 of this title, and any return of capital invested as
18 part of such investments.

19 “(5) Any amounts that the Secretary of the
20 Navy transfers to that Fund pursuant to section
21 2814(i)(3) of this title, subject to the restrictions on
22 the use of the transferred amounts specified in that
23 section.”;

24 (C) by redesignating subsections (d) through
25 (g) as (c) through (f), respectively;

1 (D) in subsection (c), as redesignated by sub-
2 paragraph (C),

3 (i) in paragraph (1), by striking “Family”;

4 (ii) by striking paragraph (2); and

5 (iii) by redesignating paragraph (3) as
6 paragraph (2);

7 (E) in subsection (e), as redesignated by sub-
8 paragraph (C), by striking “a Fund under para-
9 graph (1)(B) or (2)(B) of subsection (e)” and in-
10 sserting “the Fund under paragraph (2) of sub-
11 section (b)”;

12 (F) in subsection (f), as redesignated by sub-
13 paragraph (C)—

14 (i) in paragraph (1), by striking
15 \$850,000,000” and inserting “\$1,700,000,000”

16 and

17 (ii) in paragraph (2), by striking
18 \$150,000,000 and inserting \$300,000,000.

19 (2) Section 2871(6) of such title 10 is amended by
20 striking “Family Housing Improvement Fund or the De-
21 partment of Defense Military Unaccompanied Housing
22 Improvement Fund” and inserting “Housing Improve-
23 ment Fund”.

24 (3) Section 2875(e) of such title 10 is amended by
25 striking “Family Housing Improvement Fund or the De-

1 partment of Defense Military Unaccompanied Housing
2 Improvement Fund” and inserting “Housing Improve-
3 ment Fund”.

4 **SEC. 2802. REPEAL OF SOURCE REQUIREMENTS FOR OVER-**
5 **SEAS FAMILY HOUSING CONSTRUCTION.**

6 Section 803 of the Military Construction Authoriza-
7 tion Act, 1984 (Public Law 98–115; 97 Stat. 784), as
8 amended, is repealed.

9 **Subtitle B—Real Property and**
10 **Facilities Administration**

11 **SEC. 2803. CONVEYANCE OF SURPLUS REAL PROPERTY**
12 **FOR NATURAL RESOURCE CONSERVATION**
13 **PURPOSES.**

14 (a) IN GENERAL.—Chapter 159 of title 10, United
15 States Code, is amended by inserting after section 2669
16 the following new section:

17 **“§ 2669a. Conveyance of surplus real property for**
18 **natural resource conservation purposes**

19 “(a) AUTHORITY TO CONVEY.—The Secretary of a
20 military department, in his sole discretion, may convey
21 surplus real property under its jurisdiction that is suitable
22 and desirable for conservation purposes to any state or
23 local government, or instrumentality thereof, or nonprofit
24 organization that exists for the primary purpose of con-
25 servation of natural resources on real property. This au-

1 thority shall only apply to surplus real property that the
2 disposing agency has certified has been made available for
3 public benefit transfer, has been available for a sufficient
4 time to potential claimants and for which there is no pend-
5 ing request for transfer to another Federal agency or for
6 conveyance to any other qualified recipient for public ben-
7 efit transfer, under the real property disposal processes
8 and authorities established pursuant to the Federal Prop-
9 erty and Administrative Services Act of 1949 (40 U.S.C.
10 471, et seq.). The consideration for such conveyance shall
11 be determined by the Secretary pursuant to subsection (e).

12 “(b) DEED REQUIREMENTS.—The deed of convey-
13 ance of any surplus real property disposed of under this
14 subsection—

15 “(1) shall provide that all such property shall
16 be used and maintained for the conservation of nat-
17 ural resources in perpetuity, and that in the event
18 that such property ceases to be used or maintained
19 for such purpose during such period, all or any por-
20 tion of such property shall in its then existing condi-
21 tion, at the option of the United States, revert to the
22 United States;

23 “(2) may permit the grantee to convey the
24 property to another eligible entity; provided the Sec-
25 retary of the military department approves the con-

1 conveyance in writing and the property shall be subject
2 to the same covenants and terms and conditions as
3 provided in the deed from the United States;

4 “(3) may permit incidental revenue-producing
5 activities that are compatible with the use of the
6 property for conservation purposes;

7 “(4) may contain such additional terms, res-
8 ervation, restrictions and conditions as may be de-
9 etermined by the Secretary to safeguard the interests
10 of the United States.

11 “(c) RELEASE OF COVENANTS.—The Secretary, with
12 the concurrence of the Secretary of Interior, may grant
13 a release from the covenant described in subsection (b)
14 on the condition that the grantee pay the fair market
15 value, as determined by the Secretary, of the property at
16 the time of the release of the covenant. The Secretary may
17 reduce the amount owed for release of such covenant tak-
18 ing into account the value of the natural resource con-
19 servation benefit that has accrued during the period of the
20 conveyance and which benefit was not previously taken
21 into account in (a).

22 “(d) LIMITATIONS.—Such conveyance shall not be
23 used in settlement of any litigation, dispute, or claim
24 against the United States, nor as a condition of allowing
25 any defense activity under any Federal, State, or local per-

1 mitting or review process. The Secretary may use such
2 conveyances, with the restrictions set forth in subsection
3 (b), to establish mitigation banks outside the context of
4 being a condition imposed by any Federal, State, or local
5 regulatory body for granting a permit, completion of re-
6 view, or otherwise granting permission for a proposed mili-
7 tary action other than establishment of a mitigation bank.

8 “(e) CONSIDERATION.—In fixing the consideration
9 for the property or in determining the amount of any re-
10 duction of the fair market value owed for the release of
11 the covenant under subsection (c), the Secretary of the
12 military department shall take into consideration any ben-
13 efit that has accrued or may accrue to the United States
14 from the use of such property for the conservation of nat-
15 ural resources.

16 “(f) REAL PROPERTY DECLARED SURPLUS AS A RE-
17 SULT OF A BASE CLOSURE LAW.—The Secretary con-
18 cerned may not dispose of any real property declared sur-
19 plus as a result of a base closure law under this section
20 in a manner inconsistent with the requirements and pref-
21 erences established under a base closure law.

22 “(g) DEFINITIONS.—(1) The term ‘States’ as used
23 in this section includes the District of Columbia, the Com-
24 monwealth of Puerto Rico, the Commonwealth of the

1 Northern Marianas and the territories and possessions of
2 the United States.

3 “(2) The term “base closure law” means the Defense
4 Authorization Amendments and Base Closure and Re-
5 alignment Act of 1988 (Public Law 100–526), the De-
6 fense Base Closure and Realignment Act of 1990 (Public
7 Law 101–510), or similar base closure authority.”.

8 (b) AGREEMENTS WITH NONPROFIT CONSERVATION
9 NATURAL RESOURCE ORGANIZATIONS.—Section 2701(d)
10 of such title 10 is amended—

11 (1) in paragraph (1), by inserting “or nonprofit
12 conservation organization” after “any Indian tribe”;

13 (2) in paragraph (3), by adding at the end the
14 following sentence: “The term conservation organiza-
15 tion as used in this section means non-governmental
16 nonprofit organizations that exist for the primary
17 purpose of conserving open space or natural re-
18 sources.”.

19 (c) ACCEPTANCE OF FUNDS TO COVER ADMINISTRA-
20 TIVE EXPENSES.—Section 2695(b) of such title 10 is
21 amended by adding at the end the following new para-
22 graph:

23 “(4) The conveyance of real property under sec-
24 tion 2669a of this title.”.

1 (d) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of such chapter 159 is amended by insert-
3 ing after the item relating to section 2669 the following
4 new item:

“2669a. Conveyance of surplus real property for natural resource conservation purposes.”.

5 **SEC. 2804. LEASING OF MILITARY FAMILY HOUSING IN**
6 **KOREA.**

7 Section 2828 (e)(3) is amended—

8 (1) by striking 800 units and inserting 1,175
9 units; and

10 (2) by adding at the end the following new sen-
11 tence: “Additionally, the Secretary of the Army may
12 lease not more than 2,400 units of family housing
13 in Korea subject to a maximum amount of
14 \$35,000.”.

15 **SEC. 2805. PROGRAM ON REDUCTION IN LONG-TERM FACIL-**
16 **ITY MAINTENANCE COSTS.**

17 (a) DEMONSTRATION PROGRAM.—The Secretary of
18 Defense may conduct a demonstration program to assess
19 the feasibility and desirability of including facilities main-
20 tenance requirements in construction contracts for mili-
21 tary construction projects. The purpose of the demonstra-
22 tion program is to determine if such requirements facili-
23 tate reductions in the long-term maintenance costs of the
24 Military Departments.

1 (b) CONTRACTS.—The demonstration program au-
2 thorized in subsection (a) is limited to 12 contracts en-
3 tered into on or after the date of enactment of this Act.

4 (c) EFFECTIVE PERIOD OF MAINTENANCE REQUIRE-
5 MENTS.—A maintenance requirement that is included in
6 a construction contract under the authority of this section
7 shall not exceed five years.

8 (d) EXPIRATION.—The authority under subsection
9 (a) to include maintenance requirements in construction
10 contracts under the demonstration program shall expire
11 on September 30, 2006.

12 (e) FUNDING.—Amounts authorized to be appro-
13 priated for the Secretary of Defense for a fiscal year for
14 military construction shall be available for the demonstra-
15 tion program under this section in such fiscal year.

16 **SEC. 2806. BOUNDARY CHANNEL DRIVE SITE LAND ACQUI-**
17 **SITION, ARLINGTON, VIRGINIA.**

18 (a) ACQUISITION AUTHORIZED.—Using amounts ap-
19 propriated pursuant to the authorization of appropriations
20 in section 2401, the Secretary of Defense may acquire all
21 right, title, and interest to a parcel of real property, in-
22 cluding any improvements thereon, consisting of approxi-
23 mately 7.2 acres known as the Boundary Channel Drive
24 Site in Arlington County, Virginia. The site is located
25 southeast of Interstate 395 at the end of Boundary Chan-

1 nel Drive and was most recently occupied by the Twin
2 Bridges Marriott.

3 (b) DESCRIPTION OF PROPERTY.—The exact acreage
4 and legal description of the real property to be acquired
5 under subsection (a) shall be determined by a survey satis-
6 factory to the Secretary. Upon acquisition, this property
7 shall be included in the Pentagon Reservation as defined
8 in section 2674(f) of title 10, United States Code.

9 (c) TERMS AND CONDITIONS.—The Secretary may
10 require such terms and conditions in connection with the
11 acquisition under subsection (a) as the Secretary considers
12 appropriate to protect the interests of the United States.

13 **Subtitle C—Other Matters**

14 **SEC. 2810. ENVIRONMENTAL RESTORATION PROJECT.**

15 (a) IN GENERAL.—Section 2810 of title 10, United
16 States Code, is amended to read as follows:

17 **“§ 2810. Environmental restoration projects**

18 “(a) ENVIRONMENTAL RESTORATION PROJECTS.—
19 Subject to subsection (c), the Secretary concerned may
20 carry out an environmental restoration project if the Sec-
21 retary concerned determines that the project is necessary
22 to carry out a response action under chapter 160 of this
23 title or under the Comprehensive Environmental Re-
24 sponse, Compensation, and Liability Act of 1980 (42
25 U.S.C. 9601 et seq.).

1 “(b) LIMITATION OF FUND SOURCE.—Funds author-
2 ized for deposit in an account established under subsection
3 (a) of section 2703 of this title shall be the only source
4 of funds to conduct an environmental restoration project
5 under this section.

6 “(c) DEFINITIONS.—In this section—

7 “(1) the term “response action” has the mean-
8 ing given that term in section 101 of the Com-
9 prehensive Environmental Response, Compensation,
10 and Liability Act of 1980 (42 U.S.C. 9601);

11 “(2) the term “environmental restoration
12 project” includes construction, development, conver-
13 sion, or extension of a structure or installation of
14 equipment in direct support of a response action.

15 When included in an environmental restoration project,
16 such construction, development, conversion, extension, or
17 installation shall not be considered as military construc-
18 tion as that term is defined in section 2801 of this title.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of chapter 169 is amended by amending
21 the item related to section 2810 to read as follows:

“2810. Environmental restoration project.”.

○