

Calendar No. 505

108TH CONGRESS
2D SESSION**S. 2402**

To authorize appropriations for fiscal year 2005 for military construction,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 11, 2004

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

A BILL

To authorize appropriations for fiscal year 2005 for military
construction, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Military Construction
5 Authorization Act for Fiscal Year 2005”.

1 SEC. 2. TABLE OF CONTENTS.

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

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

TITLE XXI—ARMY

- Sec. 2101. Authorized Army construction and land acquisition projects.
- Sec. 2102. Family housing.
- Sec. 2103. Improvements to military family housing units.
- Sec. 2104. Authorization of appropriations, Army.
- Sec. 2105. Modification of authority to carry out certain fiscal year 2004 projects.
- Sec. 2106. Modification of authority to carry out certain fiscal year 2003 project.

TITLE XXII—NAVY

- Sec. 2201. Authorized Navy construction and land acquisition projects.
- Sec. 2202. Family housing.
- Sec. 2203. Improvements to military family housing units.
- Sec. 2204. Authorization of appropriations, Navy.
- Sec. 2205. Modification of authority to carry out certain fiscal year 2004 projects.

TITLE XXIII—AIR FORCE

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

TITLE XXIV—DEFENSE AGENCIES

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
- Sec. 2402. Improvements to military family housing units.
- Sec. 2403. Energy conservation projects.
- Sec. 2404. Authorization of appropriations, Defense Agencies.

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

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

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

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

**TITLE XXVII—EXPIRATION AND EXTENSION OF
AUTHORIZATIONS**

- Sec. 2701. Expiration of authorizations and amounts required to be specified by law.
- Sec. 2702. Extension of authorizations of certain fiscal year 2002 projects.
- Sec. 2703. Extension of authorization of certain fiscal year 2001 project.
- Sec. 2704. Effective date.

TITLE XXVIII—GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

- Sec. 2801. Increase in thresholds for unspecified minor military construction projects.
- Sec. 2802. Modification of approval and notice requirements for facility repair projects.
- Sec. 2803. Additional reporting requirements relating to alternative authority for acquisition and improvement of military housing.

Subtitle B—Real Property and Facilities Administration

- Sec. 2811. Recodification and consolidation of certain authorities and limitations relating to real property administration.
- Sec. 2812. Modification and enhancement of authorities on facilities for reserve components.
- Sec. 2813. Authority to exchange or sell reserve component facilities and lands to obtain new reserve component facilities and lands.

Subtitle C—Land Conveyances

- Sec. 2821. Transfer of administrative jurisdiction, Defense Supply Center, Columbus, Ohio.
- Sec. 2822. Land conveyance, Browning Army Reserve Center, Utah.
- Sec. 2823. Land exchange, Arlington County, Virginia.
- Sec. 2824. Land conveyance, Hampton, Virginia.
- Sec. 2825. Land conveyance, Seattle, Washington.
- Sec. 2826. Transfer of jurisdiction, Nebraska Avenue Naval Complex, District of Columbia.
- Sec. 2827. Land conveyance, Honolulu, Hawaii.
- Sec. 2828. Land conveyance, Portsmouth, Virginia.
- Sec. 2829. Land conveyance, former Griffiss Air Force Base, New York.

Subtitle D—Other Matters

- Sec. 2841. Department of Defense Follow-On Laboratory Revitalization Demonstration Program.
- Sec. 2842. Jurisdiction and utilization of former public domain lands, Umatilla Chemical Depot, Oregon.
- Sec. 2843. Development of heritage center for the National Museum of the United States Army.

1 SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.

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

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

3 (2) the Committee on Armed Services and the
4 Committee on Appropriations of the House of Rep-
5 resentatives.

6 **TITLE XXI—ARMY**

7 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND** 8 **ACQUISITION PROJECTS.**

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

Army: Inside the United States

State	Installation or location	Amount
Alabama	Anniston Army Depot	\$23,690,000
	Fort Rucker	\$16,500,000
Alaska	Fort Richardson	\$24,300,000
	Fort Wainwright	\$92,459,000
Arizona	Fort Huachuca	\$18,000,000
California	Fort Irwin	\$38,100,000
	Sierra Army Depot	\$13,600,000
Colorado	Fort Carson	\$63,158,000
Georgia	Fort Benning	\$71,777,000
	Fort Gillem	\$5,800,000
	Fort McPherson	\$4,900,000
Hawaii	Fort Stewart/Hunter Army Air Field	\$65,495,000
	Helemano Military Reservation ...	\$75,300,000
	Hickam Air Field	\$11,200,000
	Pohakuloa Training Area	\$40,000,000
	Schofield Barracks	\$162,792,000
Kansas	Wheeler Army Air Field	\$24,000,000
	Fort Riley	\$59,550,000
Kentucky	Fort Campbell	\$92,000,000
	Fort Knox	\$75,750,000
Louisiana	Fort Polk	\$70,953,000
Maryland	Aberdeen Proving Ground	\$13,000,000
Missouri	Fort Leonard Wood	\$28,150,000

Army: Inside the United States—Continued

State	Installation or location	Amount
New Mexico	White Sands Missile Range	\$33,000,000
New York	Fort Drum	\$7,950,000
	Fort Hamilton	\$7,600,000
	Military Entrance Processing Station, Buffalo.	\$6,200,000
	United States Military Academy, West Point.	\$60,000,000
North Carolina	Fort Bragg	\$101,687,000
Oklahoma	Fort Sill	\$14,400,000
Pennsylvania	Letterkenny Depot	\$11,400,000
Texas	Fort Bliss	\$20,100,000
	Fort Hood	\$78,088,000
	Fort Sam Houston	\$11,400,000
	Fort A.P. Hill	\$14,775,000
Virginia	Fort Myer	\$49,526,000
Washington	Fort Lewis	\$57,200,000
	Total	\$1,563,800,000

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
Germany	Grafenwoehr	\$77,200,000
Italy	Livorno	\$26,000,000
Korea	Camp Humphreys	\$12,000,000
	Total	\$115,200,000

8 **SEC. 2102. FAMILY HOUSING.**

9 (a) **CONSTRUCTION AND ACQUISITION.**—Using
10 amounts appropriated pursuant to the authorization of ap-
11 propriations in section 2104(a)(5)(A), the Secretary of the
12 Army may construct or acquire family housing units (in-
13 cluding land acquisition and supporting facilities) at the

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

Army: Family Housing

State or Country	Installation or location	Purpose	Amount
Alaska	Fort Richardson	92 Units	\$42,000,000
	Fort Wainwright	246 Units ...	\$124,000,000
Arizona	Fort Huachuca	205 Units ...	\$41,000,000
	Yuma Proving Grounds	55 Units	\$14,900,000
Kansas	Fort Riley	126 Units ...	\$33,000,000
New Mexico	White Sands Missile Range	156 Units ...	\$31,000,000
Oklahoma	Fort Sill	247 Units ...	\$47,000,000
Virginia	Fort Lee	218 Units ...	\$46,000,000
	Fort Monroe	68 Units	\$16,000,000
		Total: ...	\$394,900,000

3 (b) PLANNING AND DESIGN.—Using amounts appro-
 4 priated pursuant to the authorization of appropriations in
 5 section 2104(a)(5)(A), the Secretary of the Army may
 6 carry out architectural and engineering services and con-
 7 struction design activities with respect to the construction
 8 or improvement of family housing units in an amount not
 9 to exceed \$29,209,000.

10 **SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
 11 **UNITS.**

12 Subject to section 2825 of title 10, United States
 13 Code, and using amounts appropriated pursuant to the
 14 authorization of appropriations in section 2104(a)(5)(A),
 15 the Secretary of the Army may improve existing military
 16 family housing units in an amount not to exceed
 17 \$211,990,000.

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

2 (a) IN GENERAL.—Funds are hereby authorized to
3 be appropriated for fiscal years beginning after September
4 30, 2004, for military construction, land acquisition, and
5 military family housing functions of the Department of the
6 Army in the total amount of \$3,507,891,000, as follows:

7 (1) For military construction projects inside the
8 United States authorized by section 2101(a),
9 \$1,534,500,000.

10 (2) For military construction projects outside
11 the United States authorized by section 2101(b),
12 \$115,200,000.

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

16 (4) For architectural and engineering services
17 and construction design under section 2807 of title
18 10, United States Code, \$154,335,000.

19 (5) For military family housing functions:

20 (A) For construction and acquisition, plan-
21 ning and design, and improvement of military
22 family housing and facilities, \$636,099,000.

23 (B) For support of military family housing
24 (including the functions described in section
25 2833 of title 10, United States Code),
26 \$928,907,000.

1 (6) For the construction of phase 3 of a bar-
2 racks complex renewal, Capron Road, Schofield Bar-
3 racks, Hawaii, authorized by section 2101(a) of the
4 Military Construction Authorization Act for Fiscal
5 Year 2003 (division B of Public Law 107–314; 116
6 Stat. 2681), \$48,000,000.

7 (7) For the construction of phase 3 of a main-
8 tenance complex at Fort Sill, Oklahoma, authorized
9 by section 2101(a) of the Military Construction Au-
10 thORIZATION Act for Fiscal Year 2003 (division B of
11 Public Law 107–314; 116 Stat. 2681), as amended
12 by section 2106 of this Act, \$13,100,000.

13 (8) For the construction of phase 2 of a bar-
14 racks complex, 5th and 16th Street, at Fort Stew-
15 art/Hunter Army Air Field, Georgia, authorized by
16 section 2101(a) of the Military Construction Author-
17 ization Act for Fiscal Year 2004 (division B of Pub-
18 lic Law 108–136; 117 Stat. 1697), as amended by
19 section 2105 of this Act, \$32,950,000.

20 (9) For the construction of phase 2 of the
21 Lewis and Clark instructional facility, at Fort Leav-
22 enworth, Kansas, authorized by section 2101(a) of
23 the Military Construction Authorization Act for Fis-
24 cal Year 2004 (division B of Public Law 108–136;
25 117 Stat. 1697), \$44,000,000.

1 (10) For the construction of phase 2 of a bar-
2 racks complex at Wheeler Sack Army Air Field,
3 Fort Drum, New York, authorized by section
4 2101(a) of the Military Construction Authorization
5 Act for Fiscal Year 2004 (division B of Public Law
6 108–136; 117 Stat. 1697), as amended by section
7 2105 of this Act, \$48,000,000.

8 (11) For the construction of phase 2 of a bar-
9 racks complex, Bastogne Drive, at Fort Bragg,
10 North Carolina, authorized by section 2101(a) of the
11 Military Construction Authorization Act for Fiscal
12 Year 2004 (division B of Public Law 108–136; 117
13 Stat. 1697), \$48,000,000.

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

20 (1) the total amount authorized to be appro-
21 priated under paragraphs (1) and (2) of subsection
22 (a);

23 (2) \$41,000,000 (the balance of the amount au-
24 thorized under section 2101(a) for an upgrade to

1 Drum Road at the Helemano Military Reservation,
2 Hawaii);

3 (3) \$25,000,000 (the balance of the amount au-
4 thORIZED under section 2101(a) to construct a vehicle
5 maintenance facility at Schofield Barracks, Hawaii);

6 (4) \$25,000,000 (the balance of the amount au-
7 thORIZED under section 2101(a) for construction of a
8 barracks complex, 42nd Street and Indiana Avenue,
9 at Fort Campbell, Kentucky);

10 (5) \$22,000,000 (the balance of the amount au-
11 thORIZED under section 2101(a) for the construction
12 of a basic combat training complex at Fort Knox,
13 Kentucky);

14 (6) \$31,000,000 (the balance of the amount au-
15 thORIZED under section 2101(a) for construction of a
16 barracks complex, Blackjack Street, Fort Bragg,
17 North Carolina); and

18 (7) \$25,500,000 (the balance of the amount au-
19 thORIZED under section 2101(a) for construction of a
20 library and learning center at the United States
21 Military Academy, New York).

1 **SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **CERTAIN FISCAL YEAR 2004 PROJECTS.**

3 The table in section 2101(a) of the Military Construc-
4 tion Authorization Act for Fiscal Year 2004 (division B
5 of Public Law 108–136; 117 Stat. 1697) is amended—

6 (1) in the item relating to Fort Stewart, Geor-
7 gia, by striking “\$113,500,000” in the amount col-
8 umn and inserting “\$114,450,000”;

9 (2) in the item relating to Fort Drum, New
10 York, by striking “\$130,700,000” in the amount
11 column and inserting “\$135,700,000”; and

12 (3) by striking the amount identified as the
13 total in the amount column and inserting
14 “\$1,043,150,000”.

15 **SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT**
16 **CERTAIN FISCAL YEAR 2003 PROJECT.**

17 The table in section 2101(a) of the Military Construc-
18 tion Authorization Act for Fiscal Year 2003 (division B
19 of Public Law 107–314; 116 Stat. 2681), as amended by
20 section 2105(a)(2) of the Military Construction Authoriza-
21 tion Act for Fiscal Year 2004 (division B of Public Law
22 108–136; 117 Stat. 1701), is further amended—

23 (1) in the item relating to Fort Sill, Oklahoma,
24 by striking “\$39,652,000” in the amount column
25 and inserting “\$40,752,000”; and

1 (2) by striking the amount identified as the
 2 total in the amount column and inserting
 3 “\$1,157,267,000”.

4 TITLE XXII—NAVY

5 SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND 6 ACQUISITION PROJECTS.

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

Navy: Inside the United States

State	Installation or location	Amount
Arizona	Marine Corps Air Station, Yuma	\$26,670,000
California	Marine Corps Base, Camp Pendleton	\$38,455,000
	Naval Air Facility, El Centro	\$54,331,000
	Recruit Depot, San Diego	\$8,110,000
Connecticut	Naval Submarine Base, New London	\$50,302,000
District of Columbia	Naval Observatory, Washington	\$3,239,000
Florida	Eglin Air Force Base	\$2,060,000
	Naval Station, Mayport	\$6,200,000
Georgia	Strategic Weapons Facility Atlantic, Kings Bay	\$16,000,000
Illinois	Naval Training Station, Great Lakes	\$74,781,000
Maine	Naval Air Station, Brunswick	\$4,690,000
	Portsmouth Naval Station	\$7,860,000
Maryland	Naval Surface Warfare Center, Indian Head	\$13,900,000
Mississippi	Naval Construction Battalion Center, Gulfport	\$4,350,000
Nevada	Naval Air Station, Fallon	\$4,980,000
North Carolina	Marine Corps Air Station, New River	\$35,140,000
	Marine Corps Base, Camp Lejeune	\$13,420,000
	Washington County	\$136,900,000
Rhode Island	Naval Station Newport	\$9,080,000
Virginia	Camp Elmore Marine Corps Detach- ment. Marine Corps Base, Quantico	\$13,500,000 \$46,270,000
	Naval Air Station, Oceana	\$2,770,000
	Naval Amphibious Base, Little Creek	\$2,850,000
	Naval Station, Norfolk	\$4,330,000
	Naval Weapons Station, Yorktown	\$9,870,000

Navy: Inside the United States—Continued

State	Installation or location	Amount
Washington	Naval Shipyard Puget Sound, Bremerton.	\$20,305,000
	Naval Station, Bremerton	\$74,125,000
	Strategic Weapons Facility Pacific, Bangor	\$131,090,000
	Total	\$815,578,000

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
Diego Garcia	Naval Support Facility, Diego Garcia	\$17,500,000
Guam	Naval Station, Guam	\$33,200,000
Italy	Signonella	\$22,550,000
	Total	\$73,250,000

7 (c) UNSPECIFIED WORLDWIDE.—Using amounts ap-
8 propriated pursuant to the authorization of appropriations
9 in section 2204(a)(3), the Secretary of the Navy may ac-
10 quire real property and carry out military construction
11 projects for the installations or locations, and in the
12 amount, set forth in the following table:

Navy: Unspecified Worldwide

Location	Installation or location	Amount
Worldwide Unspecified ...	Unspecified Worldwide	\$52,658,000
	Total	\$52,658,000

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

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

Navy: Family Housing

State	Installation or Location	Purpose	Amount
North Carolina	Marine Corps Air Station, Cherry Point	198 Units	\$27,002,000
		Total	\$27,002,000

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)(6)(A),
 13 the Secretary of the Navy may improve existing military
 14 family housing units in an amount not to exceed
 15 \$112,105,000.

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, 2004, for military construction, land acquisition, and
 20 military family housing functions of the Department of the
 21 Navy in the total amount of \$1,825,576,000, as follows:

1 (1) For military construction projects inside the
2 United States authorized by section 2201(a),
3 \$676,198,000.

4 (2) For military construction projects outside
5 the United States authorized by section 2201(b),
6 \$73,250,000.

7 (3) For military construction projects at un-
8 specified worldwide locations authorized by section
9 2201(c), \$18,560,000.

10 (4) For unspecified minor military construction
11 projects authorized by section 2805 of title 10,
12 United States Code, \$12,000,000.

13 (5) For architectural and engineering services
14 and construction design under section 2807 of title
15 10, United States Code, \$87,067,000.

16 (6) For military family housing functions:

17 (A) For construction and acquisition, plan-
18 ning and design, and improvement of military
19 family housing and facilities, \$139,107,000.

20 (B) For support of military family housing
21 (including functions described in section 2833
22 of title 10, United States Code), \$704,504,000.

23 (7) For the construction of phase 2 of the ter-
24 tiary sewage treatment plant at Marine Corps Base,
25 Camp Pendleton, California, authorized by section

1 2201(a) of the Military Construction Authorization
2 Act for Fiscal Year 2004 (division B of Public Law
3 108–136; 117 Stat. 1703), \$25,690,000.

4 (8) For the construction of phase 2 of the gen-
5 eral purpose berthing pier at Naval Weapons Sta-
6 tion, Earle, New Jersey, authorized by section
7 2201(a) of the Military Construction Authorization
8 Act for Fiscal Year 2004, \$49,200,000.

9 (9) For the construction of phase 2 of pier 11
10 replacement at Naval Station, Norfolk, Virginia, au-
11 thorized by section 2201(a) of the Military Construc-
12 tion Authorization Act for Fiscal Year 2004,
13 \$40,000,000.

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

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

23 (2) \$21,000,000 (the balance of the amount au-
24 thorized under section 2201(a) for the replacement

1 of an aircraft parking apron and hangar at Naval
2 Air Facility El Centro, California);

3 (3) \$70,000,000 (the balance of the amount au-
4 thorized under section 2201(a) to acquire land inter-
5 ests for an outlying landing field in Washington
6 County, North Carolina);

7 (4) \$95,320,000 (the balance of the amount au-
8 thorized under section 2201(a) for construction of a
9 limited area production and storage complex at the
10 Strategic Weapons Facility Pacific, Bangor, Wash-
11 ington); and

12 (5) \$40,000,000 (the balance of the amount au-
13 thorized under section 2201(a) for the construction
14 of a bachelor enlisted quarters at Naval Station
15 Bremerton, Washington).

16 **SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT**
17 **CERTAIN FISCAL YEAR 2004 PROJECTS.**

18 The table in section 2201(a) of the Military Construc-
19 tion Authorization Act for Fiscal Year 2004 (division B
20 of Public Law 108–136; 117 Stat. 1703) is amended—

21 (1) in the item relating to Various Locations,
22 CONUS, by striking “\$56,360,000” in the amount
23 column and inserting “\$61,510,000”; and

1 (2) by striking the amount identified as the
 2 total in the amount column and inserting
 3 “\$1,341,022,000”.

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(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	Elmendorf Air Force Base	\$54,057,000
Arizona	Davis-Monthan Air Force Base	\$10,029,000
	Luke Air Force Base	\$10,000,000
Arkansas	Little Rock Air Force Base	\$5,031,000
California	Beale Air Force Base	\$10,186,000
	Edwards Air Force Base	\$9,965,000
	Travis Air Force Base	\$15,244,000
Colorado	Buckley Air Force Base	\$12,247,000
Delaware	Dover Air Force Base	\$9,500,000
Florida	Patrick Air Force Base	\$8,800,000
Georgia	Moody Air Force Base	\$9,600,000
	Robins Air Force Base	\$15,000,000
Hawaii	Hickam Air Force Base	\$34,400,000
	Maui Site	\$7,500,000
Louisiana	Barksdale Air Force Base	\$13,800,000
Maryland	Andrews Air Force Base	\$17,100,000
Mississippi	Columbus Air Force Base	\$7,700,000
Montana	Malmstrom Air Force Base	\$5,600,000
Nebraska	Offutt Air Force Base	\$6,721,000
New Mexico	Cannon Air Force Base	\$9,500,000
North Carolina	Pope Air Force Base	\$15,150,000
North Dakota	Minot Air Force Base	\$9,900,000
Ohio	Wright-Patterson Air Force Base	\$9,200,000
Oklahoma	Altus Air Force Base	\$10,500,000
	Tinker Air Force Base	\$8,000,000
South Carolina	Shaw Air Force Base	\$3,300,000
South Dakota	Ellsworth Air Force Base	\$11,800,000
Tennessee	Arnold Air Force Base	\$22,000,000
Texas	Dyess Air Force Base	\$11,000,000

Air Force: Inside the United States—Continued

State	Installation or location	Amount
Utah	Lackland Air Force Base	\$2,596,000
	Sheppard Air Force Base	\$50,284,000
	Hill Air Force Base	\$20,813,000
	Total	\$446,523,000

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

Air Force: Outside the United States

Country	Installation or location	Amount
Germany	Ramstein Air Base	\$25,404,000
Greenland	Thule Air Base	\$19,800,000
Guam	Andersen Air Base	\$19,593,000
Italy	Aviano Air Base	\$6,760,000
Korea	Kunsan Air Base	\$37,100,000
	Osan Air Base	\$18,600,000
Portugal	Lajes Field, Azores	\$5,689,000
United Kingdom	Royal Air Force, Lakenheath	\$5,500,000
	Total	\$138,446,000

8 (c) UNSPECIFIED WORLDWIDE.—Using amounts ap-
 9 propriated pursuant to the authorization of appropriations
 10 in section 2304(3), the Secretary of the Air Force may
 11 acquire real property and carry out military construction
 12 projects for the installations and locations, and in the
 13 amounts, set forth in the following table:

Air Force: Unspecified Worldwide

Location	Installation or location	Amount
Worldwide Classified	Worldwide Unspecified Classified	\$28,794,000
Worldwide Unspecified	Worldwide Unspecified	\$26,121,000

Air Force: Unspecified Worldwide—Continued

Location	Installation or location	Amount
	Total	\$54,915,000

1 SEC. 2302. FAMILY HOUSING.

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

Air Force: Family Housing

State	Installation or location	Purpose	Amount
Arizona	Davis-Monthan Air Force Base	250 Units ...	\$48,500,000
California	Edwards Air Force Base ... Vandenberg Air Force Base.	218 Units ... 120 Units ...	\$41,202,000 \$30,906,000
Florida	MacDill Air Force Base ... MacDill Air Force Base ...	61 Units Housing Mainte- nance Fa- cility.	\$21,723,000 \$1,250,000
Idaho	Mountain Home Air Force Base	147 Units ...	\$39,333,000
Mississippi	Columbus Air Force Base	Family Housing Manage- ment Fa- cility.	\$711,000
Missouri	Whiteman Air Force Base	160 Units ...	\$37,087,000
Montana	Malmstrom Air Force Base	115 Units ...	\$29,910,000
North Carolina	Seymour Johnson Air Force Base	167 Units ...	\$32,693,000
North Dakota	Grand Forks Air Force Base	90 Units	\$26,169,000
South Carolina	Minot Air Force Base	142 Units ...	\$37,087,000
South Dakota	Charleston Air Force Base	Fire Station	\$1,976,000
Texas	Ellsworth Air Force Base	75 Units	\$21,482,000
	Dyess Air Force Base	127 Units ...	\$28,664,000
	Goodfellow Air Force Base	127 Units ...	\$20,604,000
Germany	Ramstein Air Base	144 Units ...	\$57,691,000
Italy	Aviano Air Base	Family Housing Office.	\$2,542,000
Korea	Osan Air Base	117 Units ...	\$46,834,000

Air Force: Family Housing—Continued

State	Installation or location	Purpose	Amount
United Kingdom	Royal Air Force, Lakenheath.	154 Units	\$43,976,000
		Total	\$570,340,000

1 (b) **PLANNING AND DESIGN.**—Using amounts appro-
2 priated pursuant to the authorization of appropriations in
3 section 2304(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 \$38,266,000.

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(6)(A), the
13 Secretary of the Air Force may improve existing military
14 family housing units in an amount not to exceed
15 \$238,353,000.

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

18 Funds are hereby authorized to be appropriated for
19 fiscal years beginning after September 30, 2004, for mili-
20 tary construction, land acquisition, and military family
21 housing functions of the Department of the Air Force in
22 the total amount of \$2,487,824,000, as follows:

1 (1) For military construction projects inside the
2 United States authorized by section 2301(a),
3 \$446,523,000.

4 (2) For military construction projects outside
5 the United States authorized by section 2301(b),
6 \$138,446,000.

7 (3) For military construction projects at un-
8 specified worldwide locations authorized by section
9 2301(c), \$54,915,000.

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

13 (5) For architectural and engineering services
14 and construction design under section 2807 of title
15 10, United States Code, \$124,085,000.

16 (6) For military housing functions:

17 (A) For construction and acquisition, plan-
18 ning and design, and improvement of military
19 family housing and facilities, \$846,959,000.

20 (B) For support of military family housing
21 (including functions described in section 2833
22 of title 10, United States Code), \$863,896,000.

TITLE XXIV—DEFENSE AGENCIES

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

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2404(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

Agency	Installation or location	Amount		
Defense Intelligence Agency	Bolling Air Force Base, District of Columbia	\$6,000,000		
Defense Logistics Agency	Defense Distribution Depot, New Cumberland, Pennsylvania	\$22,300,000		
	Defense Distribution Depot, Richmond, Virginia	\$10,100,000		
	Defense Fuel Support Point, Naval Air Station Oceana, Virginia	\$3,589,000		
	Marine Corps Air Station, Cherry Point, North Carolina	\$22,700,000		
	Naval Air Station, Kingsville, Texas	\$3,900,000		
	Naval Station, Pearl Harbor, Hawaii	\$3,500,000		
	Tinker Air Force Base, Oklahoma ...	\$5,400,000		
	Travis Air Force Base, California	\$15,100,000		
	Missile Defense Agency	Huntsville, Alabama	\$19,560,000	
		National Security Agency	\$15,007,000	
		Special Operations Command	Corona, California	\$13,600,000
			Fleet Combat Training Center, Dam Neck, Virginia	\$5,700,000
			Fort A.P. Hill, Virginia	\$1,500,000
			Fort Bragg, North Carolina	\$42,888,000
Fort Campbell, Kentucky			\$3,500,000	
Fort Stewart/Hunter Army Air Field, Georgia			\$17,600,000	
Naval Air Station, North Island, California			\$1,000,000	
Naval Amphibious Base, Little Creek, Virginia			\$33,200,000	
Stennis Center, Mississippi	\$6,000,000			
Tri-Care Management Activity	Buckley Air Force Base, Colorado ...	\$2,100,000		
	Fort Belvoir, Virginia	\$100,000,000		
	Fort Benning, Georgia	\$7,100,000		
	Jacksonville, Florida	\$28,438,000		

Defense Agencies: Inside the United States—Continued

Agency	Installation or location	Amount
	Langley Air Force Base, Virginia	\$50,800,000
	Marine Corps Recruit Depot, Parris Island, South Carolina	\$25,000,000
	Total	\$465,582,000

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 Education Agency ...	Grafenwoehr, Germany	\$36,247,000
	Vilseck, Germany	\$9,011,000
	Naval Station, Guam	\$26,964,000
Defense Logistics Agency	Defense Fuel Support Point, Lajes Field, Portugal.	\$19,113,000
Special Operations Command	Naval Station, Guam, Marianas Islands.	\$2,200,000
Tri-Care Management Activity	Diego Garcia	\$3,800,000
	Grafenwoehr, Germany	\$13,000,000
	Total	\$110,335,000

8 (c) UNSPECIFIED WORLDWIDE.—Using the amounts
 9 appropriated pursuant to the authorization of appropria-
 10 tions in section 2404(a)(3), the Secretary of Defense may
 11 acquire real property and carry out military construction
 12 projects for the installations and locations, and in the
 13 amounts, set forth in the following table:

Defense Agencies: Unspecified Worldwide

Location	Installation or location	Amount
Worldwide Classified	Worldwide Unspecified Classified	\$7,400,000

Defense Agencies: Unspecified Worldwide—Continued

Location	Installation or location	Amount
Worldwide Unspecified	Worldwide Unspecified	\$2,900,000
	Total	\$10,300,000

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)(9)(A),
6 the Secretary of Defense may improve existing military
7 family housing units in an amount not to exceed \$49,000.

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

9 Using amounts appropriated pursuant to the author-
10 ization of appropriations in section 2404(a)(7), the Sec-
11 retary of Defense may carry out energy conservation
12 projects under section 2865 of title 10, United States
13 Code, in the amount of \$60,000,000.

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

16 (a) IN GENERAL.—Funds are hereby authorized to
17 be appropriated for fiscal years beginning after September
18 30, 2004, for military construction, land acquisition, and
19 military family housing functions of the Department of
20 Defense (other than the military departments) in the total
21 amount of \$980,557,000, as follows:

1 (1) For military construction projects inside the
2 United States authorized by section 2401(a),
3 \$408,582,000.

4 (2) For military construction projects outside
5 the United States authorized by section 2401(b),
6 \$110,335,000.

7 (3) For the military construction projects at
8 unspecified worldwide locations authorized by section
9 2401(c), \$10,300,000.

10 (4) For unspecified minor military construction
11 projects under section 2805 of title 10, United
12 States Code, \$20,938,000.

13 (5) For contingency construction projects of the
14 Secretary of Defense under section 2804 of title 10,
15 United States Code, \$10,000,000.

16 (6) For architectural and engineering services
17 and construction design under section 2807 of title
18 10, United States Code, \$62,182,000.

19 (7) For energy conservation projects authorized
20 by section 2404, \$60,000,000.

21 (8) For base closure and realignment activities
22 as authorized by the Defense Base Closure and Re-
23 alignment Act of 1990 (part A of title XXIX of
24 Public Law 101–510; 10 U.S.C. 2687 note),
25 \$246,116,000.

1 (9) For military family housing functions:

2 (A) For improvement of military family
3 housing and facilities, \$49,000.

4 (B) For support of military family housing
5 (including functions described in section 2833
6 of title 10, United States Code), \$49,575,000.

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

11 (10) For the construction of phase 6 of a muni-
12 tions demilitarization facility at Pueblo Chemical Ac-
13 tivity, Colorado, authorized by section 2401(a) of the
14 Military Construction Authorization Act for Fiscal
15 Year 1997 (division B of Public Law 104–201; 110
16 Stat. 2775), as amended by section 2406 of the Mili-
17 tary Construction Authorization Act for Fiscal Year
18 2000 (division B of Public Law 106–65; 113 Stat.
19 839) and section 2407 of the Military Construction
20 Authorization Act for Fiscal Year 2003 (division B
21 of Public Law 107–314; 116 Stat. 2698),
22 \$44,792,000.

23 (11) For the construction of phase 5 of a muni-
24 tions demilitarization facility at Blue Grass Army
25 Depot, Kentucky, authorized by section 2401(a) of

1 the Military Construction Authorization Act for Fis-
2 cal Year 2000 (division B of Public Law 106–65;
3 113 Stat. 835), as amended by section 2405 of the
4 Military Construction Authorization Act of 2002 (di-
5 vision B of Public Law 107–107; 115 Stat. 1298)
6 and section 2405 of the Military Construction Au-
7 thorization Act for Fiscal Year 2003 (division B of
8 Public Law 107–314; 116 Stat. 2698), \$37,094,000.

9 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
10 PROJECTS.—Notwithstanding the cost variations author-
11 ized by section 2853 of title 10, United States Code, and
12 any other cost variation authorized by law, the total cost
13 of all projects carried out under section 2401 of this Act
14 may not exceed—

15 (1) the total amount authorized to be appro-
16 priated under paragraphs (1), (2), and (3) of sub-
17 section (a); and

18 (2) \$57,000,000 (the balance of the amount au-
19 thorized under section 2401(a) for the replacement
20 of a hospital at Fort 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, 2004, 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 \$165,800,000.

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

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

5 There are authorized to be appropriated for fiscal
6 years beginning after September 30, 2004, for the costs
7 of acquisition, architectural and engineering services, and
8 construction of facilities for the Guard and Reserve
9 Forces, and for contributions therefor, under chapter
10 1803 of title 10, United States Code (including the cost
11 of acquisition of land for those facilities), the following
12 amounts:

13 (1) For the Department of the Army—

14 (A) for the Army National Guard of the
15 United States, \$371,430,000; and

16 (B) for the Army Reserve, \$63,047,000.

17 (2) For the Department of the Navy, for the
18 Naval and Marine Corps Reserve, \$25,285,000.

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

20 (A) for the Air National Guard of the
21 United States, \$214,418,000; and

22 (B) for the Air Force Reserve,
23 \$99,206,000.

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, 2007; or

16 (2) the date of the enactment of an Act author-
17 izing funds for military construction for fiscal year
18 2008.

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, 2007; or
- 2 (2) the date of the enactment of an Act author-
- 3 izing funds for fiscal year 2008 for military con-
- 4 struction 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 2002 PROJECTS.**

10 (a) EXTENSION OF CERTAIN PROJECTS.—Notwith-

11 standing section 2701 of the National Defense Authoriza-

12 tion Act for Fiscal Year 2001 (division B of Public Law

13 107–107; 115 Stat. 1301), authorizations set forth in the

14 tables in subsection (b), as provided in section 2101 or

15 2302 of that Act, shall remain in effect until October 1,

16 2005, or the date of the enactment of an Act authorizing

17 funds for military construction for fiscal year 2006, which-

18 ever is later.

19 (b) TABLES.—The tables referred to in subsection (a)

20 are as follows:

Army: Extension of 2002 Project Authorizations

State	Installation or location	Project	Amount
Alaska	Fort Wainwright	Power Plant Cooling Tower	\$23,000,000
Hawaii	Pohakuloa Training Area	Parker Ranch Land Acqui- sition	\$1,500,000

Air Force: Extension of 2002 Project Authorizations

State	Installation or location	Project	Amount
Colorado	Buckley Air Force Base	Construct Family Housing (55 Units) ...	\$11,400,000
Louisiana	Barksdale Air Force Base	Replace Family Housing (56 Units)	\$7,300,000

1 **SEC. 2703. EXTENSION OF AUTHORIZATION OF CERTAIN**
2 **FISCAL YEAR 2001 PROJECT.**

3 (a) EXTENSION.—Notwithstanding section 2701 of
4 the Military Construction Authorization Act for Fiscal
5 Year 2001 (division B of the Floyd D. Spence National
6 Defense Authorization Act for Fiscal Year 2001 (as en-
7 acted into law by Public Law 106–398; 114 Stat. 1654A–
8 407)), authorizations set forth in the table in subsection
9 (b), as provided in section 2102 of that Act and extended
10 by section 2702 of the Military Construction Authoriza-
11 tion Act for Fiscal Year 2004 (division B of Public Law
12 108–136; 117 Stat. 1716), shall remain in effect until Oc-
13 tober 1, 2005, or the date of the enactment of an Act
14 authorizing funds for military construction for fiscal year
15 2006, whichever is later.

16 (b) TABLE.—The table referred to in subsection (a)
17 is as follows:

Army: Extension of 2001 Project Authorization

State	Installation or location	Project	Amount
South Carolina	Fort Jackson	New Construction—Family Housing (1 Unit)	\$250,000

1 **SEC. 2704. EFFECTIVE DATE.**

2 Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI
3 of this Act shall take effect on the later of—

4 (1) October 1, 2004; or

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

6 **TITLE XXVIII—GENERAL**
7 **PROVISIONS**

8 **Subtitle A—Military Construction**
9 **Program and Military Family**
10 **Housing Changes**

11 **SEC. 2801. INCREASE IN THRESHOLDS FOR UNSPECIFIED**
12 **MINOR MILITARY CONSTRUCTION PROJECTS.**

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

15 (1) by striking “\$1,500,000” and inserting
16 “\$2,500,000”; and

17 (2) by striking “\$3,000,000” and inserting
18 “\$4,000,000”.

19 (b) EFFECTIVE DATE.—The amendments made by
20 subsection (a) shall take effect on October 1, 2004.

1 **SEC. 2802. MODIFICATION OF APPROVAL AND NOTICE RE-**
2 **QUIREMENTS FOR FACILITY REPAIR**
3 **PROJECTS.**

4 (a) INCREASE IN THRESHOLD FOR APPROVAL RE-
5 QUIREMENT.—Subsection (b) of section 2811 of title 10,
6 United States Code, is amended by striking “\$5,000,000”
7 and inserting “\$7,500,000”.

8 (b) INFORMATION REQUIRED IN COST ESTIMATE
9 FOR MULTI-YEAR PROJECTS.—Subsection (d)(1) of such
10 section is amended by inserting before the semicolon the
11 following: “, including, in the case of a multi-year repair
12 project to a single facility, the total cost of all phases of
13 such project”.

14 (c) EFFECTIVE DATE.—The amendments made by
15 this section shall take effect on October 1, 2004.

16 **SEC. 2803. ADDITIONAL REPORTING REQUIREMENTS RE-**
17 **LATING TO ALTERNATIVE AUTHORITY FOR**
18 **ACQUISITION AND IMPROVEMENT OF MILI-**
19 **TARY HOUSING.**

20 (a) PROJECT REPORTS.—Paragraph (2) of sub-
21 section (a) of section 2884 of title 10, United States Code,
22 is amended to read as follows:

23 “(2) The report on a proposed contract, conveyance,
24 or lease under paragraph (1) shall include the following:

1 “(A) A description of the contract, conveyance,
2 or lease, including a summary of the terms of the
3 contract, conveyance, or lease.

4 “(B) A description of the authorities to be uti-
5 lized in entering into the contract, conveyance, or
6 lease and the intended method of participation of the
7 United States in the contract, conveyance, or lease
8 (including a justification of the intended method of
9 participation).

10 “(C) A statement of the scored cost of the con-
11 tract, conveyance, or lease (as determined by the Of-
12 fice of Management and Budget).

13 “(D) A statement of the United States funds
14 required for the contract, conveyance, or lease and
15 a description of the source of such funds.

16 “(E) An economic assessment of the life cycle
17 costs of the contract, conveyance, or lease, including
18 an estimate of the amount of United States funds
19 that would be paid over the life of the contract, con-
20 veyance, or lease from amounts derived from pay-
21 ments of government allowances (including basic al-
22 lowance for housing under section 403 of title 37)
23 if the housing affected by the project were fully oc-
24 cupied by military personnel over the life of the con-
25 tract, conveyance, or lease.”.

1 (b) ANNUAL REPORTS.—Subsection (b) of such sec-
2 tion is amended—

3 (1) by redesignating paragraph (5) as para-
4 graph (6); and

5 (2) by inserting after paragraph (4) the fol-
6 lowing new paragraph (5):

7 “(5) A report setting forth—

8 “(A) an estimate of the amounts of basic
9 allowance for housing under section 403 of title
10 37 that will be paid during the fiscal year in
11 which the budget is submitted to members of
12 the armed forces living in housing provided
13 under the authorities in this subchapter during
14 such fiscal year, set forth by armed force; and

15 “(B) an estimate of the amounts of basic
16 allowance for housing that will be paid during
17 the fiscal year for which the budget is sub-
18 mitted to members of the armed forces living in
19 such housing during such fiscal year, set forth
20 by armed force.”.

1 **Subtitle B—Real Property and**
2 **Facilities Administration**

3 **SEC. 2811. RECODIFICATION AND CONSOLIDATION OF CER-**
4 **TAIN AUTHORITIES AND LIMITATIONS RE-**
5 **LATING TO REAL PROPERTY ADMINISTRA-**
6 **TION.**

7 (a) CERTAIN PROVISIONS ON LAND ACQUISITION.—

8 (1) RECODIFICATION.—Section 2661 of title
9 10, United States Code, is amended by adding at
10 the end the following new subsections:

11 “(c) COMMISSIONS ON LAND PURCHASE CON-
12 TRACTS.—The maximum amount payable as a commission
13 on a contract for the purchase of land from funds appro-
14 priated for the Department of Defense is 2 percent of the
15 purchase price.

16 “(d) AVAILABILITY OF FUNDS FOR ACQUISITION OF
17 CERTAIN INTERESTS IN LANDS.—Appropriations avail-
18 able to the Department of Defense for operation and
19 maintenance or construction may be used for the fol-
20 lowing:

21 “(1) The acquisition of land or interests in land
22 under section 2672 of this title.

23 “(2) The acquisition of interests in land under
24 section 2675 of this title.”.

1 (2) STYLISTIC AMENDMENTS.—Such section is
2 further amended—

3 (A) in subsection (a), by inserting “AVAIL-
4 ABILITY OF FUNDS FOR REPAIR OF FACILITIES
5 AND FOR INSTALLATION OF EQUIPMENT.—”
6 after “(a)”; and

7 (B) in subsection (b), by inserting
8 “LEASES; DEFENSE ACCESS ROADS.—” after
9 “(b)”.

10 (b) CERTAIN PROVISIONS ON USE OF FACILITIES.—

11 Section 2679 of such title is amended to read as follows:

12 **“§ 2679. Use of facilities: use by private organizations;**
13 **use as polling places**

14 “(a) USE OF SPACE AND EQUIPMENT BY VETERANS
15 SERVICE ORGANIZATIONS.—(1) Upon certification to the
16 Secretary concerned by the Secretary of Veterans Affairs,
17 the Secretary concerned shall allow accredited, paid, full-
18 time representatives of the organizations named in section
19 5902 of title 38, or of other organizations recognized by
20 the Secretary of Veterans Affairs, to function on military
21 installations under the jurisdiction of the Secretary con-
22 cerned that are on land and from which persons are dis-
23 charged or released from active duty.

24 “(2) The commanding officer of a military installa-
25 tion allowing representatives to function on the installa-

1 tion under paragraph (1) shall allow the representatives
2 to use available space and equipment at the installation.

3 “(3) The regulations prescribed to carry out section
4 2679 of title 10, United States Code (as in effect on the
5 day before the date of the enactment of the National De-
6 fense Authorization Act for Fiscal Year 2005), that are
7 in effect on January 1, 1958, shall remain in effect until
8 changed by joint action of the Secretary concerned and
9 the Secretary of Veterans Affairs.

10 “(4) This subsection does not authorize the violation
11 of measures of military security.

12 “(b) LICENSES TO AMERICAN NATIONAL RED CROSS
13 FOR ERECTION AND USE OF BUILDINGS.—(1) Under
14 such conditions as the Secretary concerned may prescribe,
15 such Secretary may issue a revocable license to the Amer-
16 ican National Red Cross to—

17 “(A) erect and maintain, on any military instal-
18 lation under the jurisdiction of such Secretary,
19 buildings for the storage of supplies; or

20 “(B) use, for the storage of supplies, buildings
21 erected by the United States.

22 “(2) Supplies stored in buildings erected or used
23 under this subsection are available to aid the civilian popu-
24 lation in a serious national disaster.

1 “(c) USE OF CERTAIN FACILITIES AS POLLING
2 PLACES.—(1) Notwithstanding chapter 29 of title 18 (in-
3 cluding sections 592 and 593 of such title) or any other
4 provision of law, the Secretary of Defense or Secretary
5 of a military department may not (except as provided in
6 paragraph (3)) prohibit the designation or use of a quali-
7 fying facility under the jurisdiction of such Secretary as
8 an official polling place for Federal, State, or local elec-
9 tions.

10 “(2) A Department of Defense facility is a qualifying
11 facility for purposes of this subsection if as of December
12 31, 2000—

13 “(A) the facility is designated as an official
14 polling place by a State or local election official; or

15 “(B) the facility has been used as such an offi-
16 cial polling place since January 1, 1996.

17 “(3) The limitation in paragraph (1) may be waived
18 by the Secretary of Defense or the Secretary of a military
19 department with respect to a particular Department of
20 Defense facility if such Secretary determines that local se-
21 curity conditions require prohibition of the designation or
22 use of that facility as an official polling place for any elec-
23 tion.”.

24 (c) REPEAL OF SUPERSEDED PROVISIONS.—Sections
25 2666, 2670, and 2673 of such title are repealed.

1 (d) CLERICAL AMENDMENTS.—The table of sections
2 for chapter 159 of such title is amended—

3 (1) by striking the items relating to sections
4 2666, 2670, and 2673; and

5 (2) by striking the item relating to section 2679
6 and inserting the following new item:

“Sec. 2679. Use of facilities: use by private organizations; use as polling
places.”.

7 **SEC. 2812. MODIFICATION AND ENHANCEMENT OF AU-**
8 **THORITIES ON FACILITIES FOR RESERVE**
9 **COMPONENTS.**

10 (a) INTERESTS IN LAND.—

11 (1) DEFINITION OF TERM.—Section 18232 of
12 title 10, United States Code, is amended—

13 (A) by striking paragraph (2);

14 (B) by redesignating paragraph (3) as
15 paragraph (4); and

16 (C) by inserting after paragraph (1) the
17 following new paragraphs:

18 “(2) The term ‘facility’ includes any armory,
19 readiness center, building, structure, or other im-
20 provement of real property needed for the adminis-
21 tration and training of any unit of the reserve com-
22 ponents of the armed forces.

23 “(3) The term ‘interest in land’ includes a fee
24 title, lease, easement, license, permit, or agreement

1 on use of a parcel of real property needed for the
2 administration and training of any unit of the re-
3 serve components of the armed forces.”.

4 (2) UTILIZATION OF TERM.—(A) Section
5 18231(1) of such title is amended by inserting be-
6 fore the semicolon the following: “, and the acquisi-
7 tion of interests in land for such purposes”.

8 (B) Section 18233 of such title is amended—

9 (i) in subsection (a), by inserting “or inter-
10 ests in land” after “facilities” each place it ap-
11 pears; and

12 (ii) in subsection (f)(2), by striking “real
13 property” and inserting “interests in land”.

14 (C) Section 18233a(a)(1) of such title is
15 amended by inserting “or interest in land” after “fa-
16 cility”.

17 (b) MODIFICATION AND ENHANCEMENT OF ACQUI-
18 SITION AUTHORITY.—Section 18233 of such title is further
19 amended—

20 (1) in subsection (a)—

21 (A) in the matter preceding paragraph (1),
22 by striking “and to” and inserting “chapters
23 159 and 169 of this title, and”; and

24 (B) in paragraph (1), by striking “trans-
25 fer,” and inserting “transfer from a military

1 department, another department or agency of
2 the Federal Government, or a State agency,”;
3 and

4 (2) in subsection (f)(2), by striking “exchange
5 of Government-owned land, or otherwise” and insert-
6 ing “or exchange of Government-owned land”.

7 (c) AUTHORITY TO CARRY OUT SMALL PROJECTS.—

8 (1) MODIFICATION OF LIMITATION ON AUTHOR-
9 ITY.—Section 18233a(a) of such title is further
10 amended—

11 (A) in paragraph (1), by striking
12 “\$1,500,000” and inserting “\$750,000”; and

13 (B) in paragraph (2), by adding at the end
14 the following new subparagraph:

15 “(D) A repair project (as that term is defined
16 in section 2811(e) of this title) costing less than
17 \$10,000,000.”.

18 (2) RECODIFICATION OF AUTHORITY TO CARRY
19 OUT WITH OPERATION AND MAINTENANCE FUNDS.—

20 Chapter 1803 of title 10, United States Code, is
21 amended by inserting after section 18233a the fol-

22 lowing new section:

1 **“§ 18233b. Authority to carry out small projects with**
2 **operation and maintenance funds**

3 “Under such regulations as the Secretary of Defense
4 may prescribe, the Secretary may spend, from appropria-
5 tions available for operation and maintenance, amounts
6 necessary to carry out any project authorized under sec-
7 tion 18233(a) of this title costing not more than—

8 “(1) the amount specified in section
9 2805(e)(1)(A) of this title, in the case of a project
10 intended solely to correct a deficiency that is life-
11 threatening, health-threatening, or safety-threat-
12 ening; or

13 “(2) the amount specified in section
14 2805(e)(1)(B) of this title, in the case of any other
15 project.”.

16 (3) REPEAL OF SUPERSEDED AUTHORITY.—
17 Section 18233a of such title is amended by striking
18 subsection (b).

19 (4) CONFORMING AMENDMENTS.—Section
20 18233a of such title is further amended—

21 (A) by striking “(1) Except as provided in
22 paragraph (2)” and inserting “Except as pro-
23 vided in subsection (b)”; and

24 (B) by redesignating paragraph (2) as sub-
25 section (b) and in that subsection, as so redesi-
26 gnated—

1 (i) by striking “Paragraph (1)” and
 2 inserting “Subsection (a)”;

3 (ii) by redesignating subparagraphs
 4 (A), (B), (C), and (D) as paragraphs (1),
 5 (2), (3), and (4), respectively; and

6 (iii) in paragraph (2), as so redesignated—
 7

8 (I) by redesignating clauses (i)
 9 and (ii) as subparagraphs (A) and
 10 (B), respectively; and

11 (II) in subparagraph (B), as so
 12 redesignated, by striking “(I) 25 per-
 13 cent, or (II)” and inserting “(i) 25
 14 percent, or (ii)”.

15 (5) CLERICAL AMENDMENTS.—(A) The heading
 16 of section 18233a of such title is amended to read
 17 as follows:

18 **“§ 18233a. Limitation on certain projects”.**

19 (B) The table of sections at the beginning of
 20 chapter 1803 of such title is amended by striking
 21 the item relating to section 18233a and inserting the
 22 following new items:

“18233a. Limitation on certain projects.

“18233b. Authority to carry out small projects with operation and maintenance funds.”.

1 **SEC. 2813. AUTHORITY TO EXCHANGE OR SELL RESERVE**
2 **COMPONENT FACILITIES AND LANDS TO OB-**
3 **TAIN NEW RESERVE COMPONENT FACILITIES**
4 **AND LANDS.**

5 (a) IN GENERAL.—The Secretary of Defense may au-
6 thorize each Secretary of a military department to carry
7 out projects to assess the feasibility and advisability of ob-
8 taining new facilities and lands for the reserve components
9 of such department through the exchange or sale of exist-
10 ing facilities or lands of such reserve components.

11 (b) TRANSACTIONS AUTHORIZED.—Pursuant to the
12 authority under subsection (a), the Secretary of a military
13 department may carry out any transaction as follows:

14 (1) An exchange of an existing facility or exist-
15 ing interest in land of a reserve component of such
16 department for a new facility, an interest in land, or
17 an addition to an existing facility for the reserve
18 component.

19 (2) A sale of an existing facility or existing in-
20 terest in land of a reserve component of such depart-
21 ment with the proceeds of sale used to acquire a new
22 facility, an interest in land, or an addition to an ex-
23 isting facility for the reserve component.

24 (3) A combination of an exchange and sale of
25 an existing facility, interest in land, or both of a re-
26 serve component of such department with the use of

1 the exchange allowance and proceeds of sale to ac-
2 quire a facility, an interest in land, or an addition
3 to an existing facility for the reserve component.

4 (c) FACILITIES AND LANDS SUBJECT TO TRANS-
5 ACTION.—A facility or interest in land of a reserve compo-
6 nent that may be exchanged or sold pursuant to the au-
7 thority under subsection (a) is any facility or interest in
8 land under the control of the military department con-
9 cerned that is not excess property, as that term is defined
10 in section 102(3) of title 40, United States Code.

11 (d) FAIR MARKET VALUE TO BE OBTAINED IN
12 TRANSACTION.—In any exchange or sale of an existing fa-
13 cility pursuant to the authority under subsection (a), the
14 United States shall receive cash, a replacement facility or
15 addition to an existing facility, an interest in land, or a
16 combination thereof of in an amount not less than the fair
17 market value of the existing facility, as determined by the
18 Secretary of the military department concerned.

19 (e) REQUIREMENTS FOR REPLACEMENT FACILI-
20 TIES.—(1) A facility obtained as a replacement facility for
21 an existing facility, or as an addition to an existing facil-
22 ity, pursuant to the authority under subsection (a) shall,
23 as determined by the Secretary of the military department
24 concerned—

1 (A) be complete and usable, fully functional,
2 and ready for occupancy, and satisfy fully all oper-
3 ational requirements of the existing facility; and

4 (B) meet all applicable Federal, State, and local
5 requirements relating to health, safety, fire, and the
6 environment.

7 (2) A facility obtained as a replacement facility for
8 an existing facility, or as an addition to an existing facil-
9 ity, pursuant to the authority under subsection (a) shall
10 meet the requirements specified in subparagraphs (A) and
11 (B) of paragraph (1) before the conclusion of the exchange
12 or sale of the existing facility concerned.

13 (f) AGREEMENT REQUIRED.—The Secretary of a
14 military department shall carry out each transaction pur-
15 suant to the authority under subsection (a) through an
16 agreement for that purpose entered into by such Secretary
17 and the person or entity carrying out the transaction.

18 (g) SELECTION AMONG COMPETING PARTICI-
19 PANTS.—(1) If more than one person or entity notifies the
20 Secretary of a military department of an interest in car-
21 rying out a transaction pursuant to the authority under
22 subsection (a), the Secretary shall, except as provided in
23 paragraph (2), select the person or entity to carry out the
24 transaction through the use of competitive procedures.

1 (2) The Secretary of a military department may use
2 procedures other than competitive procedures to select
3 among persons and entities to carry out a transaction pur-
4 suant to the authority under subsection (a), but only in
5 accordance with subsections (e) through (f) of section
6 2304 of title 10, United States Code.

7 (h) NOTICE AND WAIT REQUIREMENT.—(1) The
8 Secretary of a military department may not enter into an
9 agreement pursuant to the authority under subsection (a)
10 until 30 days after the date on which such Secretary sub-
11 mits to the congressional defense committees a report on
12 the agreement.

13 (2) A report on an agreement under paragraph (1)
14 shall include the following:

15 (A) A description of terms of the agreement, in-
16 cluding a description of any funds to be received by
17 the United States under the agreement and the pro-
18 posed use of such funds.

19 (B) A description of the existing facility, inter-
20 est in land, or both of a reserve component covered
21 by the agreement, including the fair market value of
22 such facility, interest in land, or both and the meth-
23 od of determination of such fair market value.

24 (C) Data on the facility or addition to an exist-
25 ing facility, if any, to be received by the United

1 States under the agreement, which data shall meet
2 requirements for data to be provided Congress for
3 military construction projects to obtain a similar fa-
4 cility or addition to an existing facility.

5 (D) A certification that the existing facility, in-
6 terest in land, or both of a reserve component cov-
7 ered by the agreement is not required by another
8 military department.

9 (3) Section 2662 of title 10, United States Code,
10 shall not apply to any transaction carried out pursuant
11 to the authority under subsection (a).

12 (i) TREATMENT OF FUNDS RECEIVED IN TRANS-
13 ACTIONS.—(1) The Secretary of a military department
14 shall deposit in a special account in the Treasury estab-
15 lished for such purpose pursuant to section 572(b) of title
16 40, United States Code, any amounts received pursuant
17 to an agreement entered into by such Secretary pursuant
18 to the authority under subsection (a).

19 (2) Amounts deposited by the Secretary of a military
20 department under paragraph (1) in the account estab-
21 lished by such Secretary under that paragraph with re-
22 spect to an agreement shall be available to such Secretary,
23 without further appropriation, as follows:

24 (A) For the construction or acquisition of facili-
25 ties, or of additions to existing facilities, for the re-

1 serve component concerned at the location to which
2 such agreement applies.

3 (B) To the extent that such amounts are not
4 required for purposes of subparagraph (A), for
5 maintenance, protection, alteration, repair, improve-
6 ment, or restoration (including environmental res-
7 toration) of facilities or property of the reserve com-
8 ponent concerned at the location to which such
9 agreement applies.

10 (3) Amounts available under paragraph (2) shall re-
11 main available until expended.

12 (j) SOLE AUTHORITY FOR EXCHANGES OF FACILI-
13 TIES AND LANDS.—Except as otherwise specifically au-
14 thorized by law, during the period of the authority under
15 subsection (a), the authority under that subsection to ex-
16 change facilities or interests in land of the reserve compo-
17 nents to obtain facilities, interests in land, or additions
18 to facilities for the reserve components is the sole author-
19 ity available in law for that purpose.

20 (k) CONSTRUCTION WITH OTHER MILITARY CON-
21 STRUCTION LAWS.—Transactions pursuant to the author-
22 ity under subsection (a) shall not be treated as military
23 construction projects requiring an authorization in law as
24 otherwise required by section 2802 of title 10, United
25 States Code.

1 (l) REPORT.—Not later than March 1, 2007, the Sec-
2 retary of Defense shall submit to the congressional defense
3 committees a report on the exercise of the authority under
4 subsection (a). The report shall include the following:

5 (1) A description of the projects carried out
6 under the authority.

7 (2) A description of the analysis and criteria
8 used to identify existing facilities and interests in
9 land to be exchanged or sold under the authority.

10 (3) An assessment of the utility to the Depart-
11 ment of Defense of the authority, including rec-
12 ommendations for modifications of such authority in
13 order to enhance the utility of such authority for the
14 Department.

15 (4) An assessment of interest in future ex-
16 changes or sales in the event the authority is ex-
17 tended.

18 (5) An assessment of the advisability of making
19 the authority, including any modifications of the au-
20 thority recommended under paragraph (3), perma-
21 nent.

22 (m) DEFINITIONS.—In this section:

23 (1) The term “facility” includes an armory,
24 readiness center, or other structure, and storage or

1 other facilities, normally needed for the administra-
2 tion and training of a unit of a reserve component.

3 (2) The terms “armory” and “readiness center”
4 have the meanings given such terms in section
5 18232(3) of title 10, United States Code.

6 (n) EXPIRATION DATE.—No transaction may be
7 commenced pursuant to the authority under subsection (a)
8 after September 30, 2006.

9 **Subtitle C—Land Conveyances**

10 **SEC. 2821. TRANSFER OF ADMINISTRATIVE JURISDICTION,**

11 **DEFENSE SUPPLY CENTER, COLUMBUS,**

12 **OHIO.**

13 (a) TRANSFER AUTHORIZED.—The Secretary of the
14 Army may transfer, without reimbursement, to the Sec-
15 retary of Veterans Affairs administrative jurisdiction of a
16 parcel of real property consisting of approximately 20
17 acres and comprising a portion of the Defense Supply
18 Center in Columbus, Ohio.

19 (b) USE OF PROPERTY.—The Secretary of Veterans
20 Affairs may only use the property transferred under sub-
21 section (a) as the site for the construction of a new out-
22 patient clinic for the provision of medical services to vet-
23 erans.

24 (c) COSTS.—Any administrative costs in connection
25 with the transfer of property under subsection (a), includ-

1 ing the costs of the survey required by subsection (e), shall
2 be borne by the Secretary of Veterans Affairs.

3 (d) RETURN OF JURISDICTION TO ARMY.—If at any
4 time the Secretary of the Army determines that the prop-
5 erty transferred under subsection (a) is not being utilized
6 for the outpatient clinic described in subsection (b), then,
7 at the election of the Secretary of the Army, the Secretary
8 of Veterans Affairs shall return to the Secretary of the
9 Army administrative jurisdiction of the property.

10 (e) EXEMPTION FROM FEDERAL SCREENING.—The
11 conveyance under subsection (a) is exempt from the re-
12 quirement to screen the property for other Federal use
13 pursuant to section 2693 of title 10, United States Code.

14 (f) DESCRIPTION OF PROPERTY.—The exact acreage
15 and legal description of the real property to be transferred
16 under subsection (a) shall be determined by a survey satis-
17 factory to the Secretary of the Army.

18 (g) ADDITIONAL TERMS AND CONDITIONS.—The
19 Secretary of the Army may require such additional terms
20 and conditions in connection with the transfer under sub-
21 section (a) as the Secretary considers appropriate to pro-
22 tect the interests of the United States.

1 **SEC. 2822. LAND CONVEYANCE, BROWNING ARMY RESERVE**
2 **CENTER, UTAH.**

3 (a) CONVEYANCE AUTHORIZED.—(1) The Secretary
4 of the Army may convey, without consideration, to the
5 State of Utah (in this section referred to as the “State”)
6 all right, title, and interest of the United States in and
7 to a parcel of unimproved real property consisting of ap-
8 proximately 10 acres and located at the Browning Army
9 Reserve Center, Utah.

10 (2) The purpose of the conveyance is to permit the
11 Department of Veterans Affairs of the State of Utah to
12 construct and operate a facility for the provision of nurs-
13 ing care for veterans.

14 (b) PAYMENT OF COSTS OF CONVEYANCE.—(1) The
15 Secretary may require the State to cover costs to be in-
16 curred by the Secretary, or to reimburse the Secretary for
17 costs incurred by the Secretary, to carry out the convey-
18 ance under subsection (a), including survey costs, costs re-
19 lated to environmental documentation, and other adminis-
20 trative costs related to the conveyance. If amounts paid
21 to the Secretary in advance exceed the costs actually in-
22 curred by the Secretary to carry out the conveyance, the
23 Secretary shall refund the excess amount to the State.

24 (2) Amounts received under paragraph (1) shall be
25 credited to the fund or account that was used to cover
26 the costs incurred by the Secretary. Amounts so credited

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

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

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

14 **SEC. 2823. LAND EXCHANGE, ARLINGTON COUNTY, VIR-**
15 **GINIA.**

16 (a) EXCHANGE AUTHORIZED.—(1) The Secretary of
17 Defense may convey to Arlington County, Virginia (in this
18 section referred to as the “County”), all right, title, and
19 interest of the United States in and to a parcel of real
20 property, together with any improvements thereon, con-
21 sisting of not more than 4.5 acres and located along the
22 western boundary of the Navy Annex property, Virginia,
23 for the purpose of the construction of a freedmen heritage
24 museum and an Arlington history museum.

1 (2) The size of the parcel of real property conveyed
2 under paragraph (1) shall be such that the acreage of the
3 parcel shall be equivalent to the acreage of the parcel of
4 real property conveyed under subsection (b). The Sec-
5 retary shall determine the acreage of the parcels, and such
6 determination shall be final.

7 (b) CONSIDERATION.—As consideration for the con-
8 veyance of property under subsection (a), the County shall
9 convey to the United States all right, title, and interest
10 of the County in and to a parcel of real property, together
11 with any improvements thereon, consisting of not more
12 than 4.5 acres and known as the Southgate Road right-
13 of-way between Arlington National Cemetery, Virginia,
14 and the Navy Annex property.

15 (c) DESCRIPTION OF PROPERTY.—The exact acreage
16 and legal description of the parcels of real property to be
17 conveyed under this section shall be determined by surveys
18 satisfactory to the Secretary.

19 (d) PAYMENT OF COSTS OF CONVEYANCES.—(1) The
20 Secretary may require the County to cover costs to be in-
21 curred by the Secretary, or to reimburse the Secretary for
22 costs incurred by the Secretary, to carry out the convey-
23 ances under subsections (a) and (b), including survey
24 costs, costs related to environmental documentation, and
25 other administrative costs related to the conveyances. If

1 amounts are collected from the County in advance of the
2 Secretary incurring the actual costs, and the amount col-
3 lected exceeds the costs actually incurred by the Secretary
4 to carry out the conveyance, the Secretary shall refund
5 the excess amount to the County.

6 (2) Amounts received as reimbursement under para-
7 graph (1) shall be credited to the fund or account that
8 was used to cover the costs incurred by the Secretary in
9 carrying out the conveyances. Amounts so credited shall
10 be merged with amounts in such fund or account, and
11 shall be available for the same purposes, and subject to
12 the same conditions and limitations, as amounts in such
13 fund or account.

14 (e) REVERSIONARY INTEREST.—(1) If at any time
15 the Secretary determines that the property conveyed to the
16 County under subsection (a) is not being used for the pur-
17 poses stated in that subsection, then, at the option of the
18 Secretary, all right, title, and interest in and to the prop-
19 erty, including any improvements thereon, shall revert to
20 the United States, and the United States shall have the
21 right of immediate entry onto the property.

22 (2) If the Secretary exercises the reversionary inter-
23 est provided for in paragraph (1), the Secretary shall pay
24 the County, from amounts available to the Secretary for
25 military construction for the Defense Agencies, an amount

1 equal to the fair market value of the property covered by
2 the reversionary interest, as determined by the Secretary.

3 (f) EXEMPTION FROM FEDERAL SCREENING.—The
4 conveyance under subsection (a) is exempt from the re-
5 quirement to screen the property for other Federal use
6 pursuant to sections 2693 and 2696 of title 10, United
7 States Code.

8 (g) INCLUSION OF SOUTHGATE ROAD RIGHT-OF-
9 WAY PROPERTY IN TRANSFER OF NAVY ANNEX PROP-
10 ERTY FOR ARLINGTON NATIONAL CEMETERY.—Sub-
11 section (a) of section 2881 of the Military Construction
12 Authorization Act for Fiscal Year 2000 (division B of
13 Public Law 106–65; 113 Stat. 879) is amended by strik-
14 ing “three parcels of real property consisting of approxi-
15 mately 36 acres” and inserting “four parcels of real prop-
16 erty consisting of approximately 40 acres”.

17 (h) TERMINATION OF RESERVATION OF CERTAIN
18 NAVY ANNEX PROPERTY FOR MEMORIALS OR MUSE-
19 UMS.—Subsection (b) of such section, as amended by sec-
20 tion 2863(f) of the Military Construction Authorization
21 Act for Fiscal Year 2002 (division B of Public Law 107–
22 107; 115 Stat. 1332) and section 2851(a)(1) of the Mili-
23 tary Construction Authorization Act for Fiscal Year 2003
24 (division B of Public Law 107–314; 116 Stat. 2726), is
25 further amended—

1 (1) by striking “(1) Subject to paragraph (2),
2 the Secretary” and inserting “The Secretary”; and
3 (2) by striking paragraph (2).

4 (i) **ADDITIONAL TERMS AND CONDITIONS.**—The Sec-
5 retary may require such additional terms and conditions
6 in connection with the conveyances under this section as
7 the Secretary considers appropriate to protect the inter-
8 ests of the United States.

9 **SEC. 2824. LAND CONVEYANCE, HAMPTON, VIRGINIA.**

10 (a) **CONVEYANCE AUTHORIZED.**—The Secretary of
11 the Army may convey, without consideration, to the
12 Hampton City School Board, Hampton, Virginia (in this
13 section referred to as the “Board”), all right, title, and
14 interest of the United States in and to a parcel of real
15 property, including any improvements thereon, that con-
16 sists of approximately 29.8 acres, is located on Downey
17 Farm Road in Hampton, Virginia, and is known as the
18 Butler Farm United States Army Reserve Center in order
19 to permit the Board to utilize the property for public edu-
20 cation purposes.

21 (b) **CONDITION OF CONVEYANCE.**—The conveyance
22 under subsection (a) shall be subject to the condition that
23 the Board accept the real property described in subsection
24 (a) in its condition at the time of the conveyance, com-
25 monly known as conveyance “as is”.

1 (c) PAYMENT OF COSTS OF CONVEYANCE.—(1) The
2 Secretary may require the Board to cover costs to be in-
3 curred by the Secretary, or to reimburse the Secretary for
4 costs incurred by the Secretary, to carry out the convey-
5 ance under subsection (a), including survey costs, costs re-
6 lated to environmental documentation, and other adminis-
7 trative costs related to the conveyance. If amounts are col-
8 lected from the Board in advance of the Secretary incur-
9 ring the actual costs, and the amount collected exceeds
10 the costs actually incurred by the Secretary to carry out
11 the conveyance, the Secretary shall refund the excess
12 amount to the Board.

13 (2) Amounts received as reimbursement under para-
14 graph (1) shall be credited to the fund or account that
15 was used to cover the costs incurred by the Secretary in
16 carrying out the conveyance. Amounts so credited shall be
17 merged with amounts in such fund or account, and shall
18 be available for the same purposes, and subject to the
19 same conditions and limitations, as amounts in such fund
20 or account.

21 (d) EXEMPTION FROM FEDERAL SCREENING.—The
22 conveyance authorized by subsection (a) is exempt from
23 the requirement to screen the property for other Federal
24 use pursuant to section 2693 and 2696 of title 10, United
25 States Code.

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

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

10 **SEC. 2825. LAND CONVEYANCE, SEATTLE, WASHINGTON.**

11 (a) CONVEYANCE AUTHORIZED.—The Secretary of
12 the Army may convey, without consideration, to the State
13 of Washington (in this section referred to as the “State”)
14 all right, title, and interest of the United States in and
15 to a parcel of real property, including any improvements
16 thereon, consisting of approximately 9.747 acres in Se-
17 attle, Washington, and comprising a portion of the Na-
18 tional Guard Facility, Pier 91, for the purpose of permit-
19 ting the State to convey the facility unencumbered for eco-
20 nomic development purposes.

21 (b) CONDITION OF CONVEYANCE.—The conveyance
22 under subsection (a) shall be subject to the condition that
23 the State accept the real property in its condition at the
24 time of the conveyance, commonly known as conveyance
25 “as is”.

1 (c) ADMINISTRATIVE EXPENSES.—(1) The State
2 shall reimburse the Secretary for the administrative ex-
3 penses incurred by the Secretary in carrying out the con-
4 veyance under subsection (a), including expenses related
5 to surveys and legal descriptions, boundary
6 monumentation, environmental surveys, necessary docu-
7 mentation, travel, and deed preparation.

8 (2) Section 2695(c) of title 10, United States Code,
9 shall apply to any amounts received by the Secretary as
10 reimbursement under this subsection.

11 (d) DESCRIPTION OF PROPERTY.—The exact acreage
12 and legal description of the property to be conveyed under
13 subsection (a) shall be determined by a survey satisfactory
14 to the Secretary. The cost of the survey shall be borne
15 by the United States, subject to the requirement for reim-
16 bursement under subsection (c).

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

1 **SEC. 2826. TRANSFER OF JURISDICTION, NEBRASKA AVE-**
2 **NUE NAVAL COMPLEX, DISTRICT OF COLUM-**
3 **BIA.**

4 (a) **TRANSFER REQUIRED.**—The Secretary of the
5 Navy shall transfer to the administrative jurisdiction of
6 the Administrator of General Services the parcel of De-
7 partment of the Navy real property in the District of Co-
8 lumbia known as the Nebraska Avenue Complex for the
9 purpose of permitting the Administrator to use the Com-
10 plex to accommodate the Department of Homeland Secu-
11 rity. The Complex shall be transferred in its existing con-
12 dition.

13 (b) **AUTHORITY TO RETAIN MILITARY FAMILY**
14 **HOUSING.**—The Secretary of the Navy may retain admin-
15 istrative jurisdiction over the portion of the Complex that
16 the Secretary considers to be necessary for continued use
17 as Navy family housing.

18 (c) **TIME FOR TRANSFER.**—The transfer of adminis-
19 trative jurisdiction over the Complex to the Administrator
20 under subsection (c) shall be completed not later than
21 January 1, 2005.

22 (d) **RELOCATION OF NAVY ACTIVITIES.**—As part of
23 the transfer of the Complex under this section, the Sec-
24 retary of the Navy shall relocate Department of the Navy
25 activities at the Complex to other locations.

1 (e) PAYMENT OF RELOCATION COSTS.—Subject to
2 the availability of appropriations for this purpose, the Sec-
3 retary of Homeland Security shall be responsible for the
4 payment of—

5 (1) all reasonable costs, including costs to move
6 furnishings and equipment, related to the relocation
7 of Department of the Navy activities from the Com-
8 plex under subsection (d);

9 (2) all reasonable costs, including rent, incident
10 to the occupancy by such activities of interim leased
11 space; and

12 (3) all reasonable costs incident to the acquisi-
13 tion of permanent facilities for Department of the
14 Navy activities relocated from the Complex.

15 (f) SUBMISSION OF COST ESTIMATES.—As soon as
16 practicable after the date of the enactment of this Act,
17 but not later than January 1, 2005, the Secretary of the
18 Navy shall submit to the congressional defense committees
19 an initial estimate of the amounts that will be necessary
20 to cover the costs to permanently relocate Department of
21 the Navy activities from the Complex. The Secretary shall
22 include in the estimate anticipated land acquisition and
23 facility construction costs. The Secretary shall revise the
24 estimate as necessary whenever information regarding the
25 actual costs for the relocation is obtained.

1 (g) CERTIFICATION OF RELOCATION COSTS.—At the
2 end of the three-year period beginning on the date of the
3 transfer of the Complex under subsection (a), the Sec-
4 retary of the Navy shall submit to Congress written no-
5 tice—

6 (1) specifying the total amount expended under
7 subsection (e) to cover the costs of relocating De-
8 partment of the Navy activities from the Complex;

9 (2) specifying the total amount expended to ac-
10 quire permanent facilities for Department of the
11 Navy activities relocated from the Complex; and

12 (3) certifying whether the amounts paid are
13 sufficient to complete all relocation actions.

14 **SEC. 2827. LAND CONVEYANCE, HONOLULU, HAWAII.**

15 (a) CONVEYANCE AUTHORIZED.—The Secretary of
16 the Navy may convey, without consideration but subject
17 to the conditions specified in subsection (b), to the City
18 and County of Honolulu, Hawaii, all right, title, and inter-
19 est of the United States in and to a parcel of real property,
20 including improvements thereon, consisting of approxi-
21 mately 5.16 acres located at 890 Valkenberg Avenue,
22 Honolulu, Hawaii, and currently used by the City and
23 County of Honolulu as the site of a fire station and fire-
24 fighting training facility. The purpose of the conveyance
25 is to enhance the capability of the City and County of

1 Honolulu to provide fire protection and firefighting serv-
2 ices to the civilian and military properties in the area and
3 to provide a location for firefighting training for civilian
4 and military personnel.

5 (b) CONDITIONS OF CONVEYANCE.—The conveyance
6 under subsection (a) shall be subject to the following con-
7 ditions:

8 (1) That the City and County of Honolulu ac-
9 cept the real property in its condition at the time of
10 the conveyance, commonly known as conveyance “as
11 is”.

12 (2) That the City and County of Honolulu
13 make the firefighting training facility available to
14 the fire protection and firefighting units of the mili-
15 tary departments for training not less than 2 days
16 per week on terms satisfactory to the Secretary.

17 (c) PAYMENT OF COSTS OF CONVEYANCE.—(1) The
18 Secretary shall require the City and County of Honolulu
19 to cover costs to be incurred by the Secretary, or to reim-
20 burse the Secretary for costs incurred by the Secretary,
21 to carry out the conveyance under subsection (a), includ-
22 ing survey costs, costs related to environmental docu-
23 mentation, and other administrative costs related to the
24 conveyance. If amounts are collected from the City and
25 County of Honolulu in advance of the Secretary incurring

1 the actual costs, and the amount collected exceeds the
2 costs actually incurred by the Secretary to carry out the
3 conveyance, the Secretary shall refund the excess amount,
4 without interest, to the City and County of Honolulu.

5 (2) Amounts received under paragraph (1) shall be
6 credited to the fund or account that was used to cover
7 the costs incurred by the Secretary in carrying out the
8 conveyance. Amounts so credited shall be merged with
9 amounts in such fund or account, and shall be available
10 for the same purposes, and subject to the same conditions
11 and limitations, as amounts in such fund or account.

12 (d) DESCRIPTION OF PROPERTY.—The exact acreage
13 and legal description of the property to be conveyed under
14 subsection (a) shall be determined by a survey satisfactory
15 to the Secretary.

16 (e) ADDITIONAL TERMS AND CONDITIONS.—The
17 Secretary may require such additional terms and condi-
18 tions in connection with the conveyance under subsection
19 (a) as the Secretary considers appropriate to protect the
20 interests of the United States.

21 **SEC. 2828. LAND CONVEYANCE, PORTSMOUTH, VIRGINIA.**

22 (a) CONVEYANCE AUTHORIZED.—The Secretary of
23 the Navy may convey, without consideration, to the City
24 of Portsmouth, Virginia (in this section referred to as the
25 “City”), all right, title, and interest of the United States

1 in and to a parcel of real property, including any improve-
2 ments thereon, consisting of approximately 0.49 acres lo-
3 cated at 517 King Street, Portsmouth, Virginia, and
4 known as the “Navy YMCA Building”, for economic revi-
5 talization purposes.

6 (b) CONDITIONS OF CONVEYANCE.—The conveyance
7 under subsection (a) shall be subject to the following con-
8 ditions:

9 (1) That the City accept the real property de-
10 scribed in subsection (a) in its condition at the time
11 of the conveyance, commonly known as conveyance
12 “as is”.

13 (2) That the City bear all costs related to the
14 environmental remediation, use, and redevelopment
15 of the real property.

16 (c) PAYMENT OF COSTS OF CONVEYANCE.—(1) The
17 Secretary may require the City to cover costs to be in-
18 curred by the Secretary, or to reimburse the Secretary for
19 costs incurred by the Secretary, to carry out the convey-
20 ance under subsection (a), including survey costs, costs re-
21 lated to environmental documentation, and other adminis-
22 trative costs related to the conveyance. If amounts paid
23 to the Secretary in advance exceed the costs actually in-
24 curred by the Secretary to carry out the conveyance, the
25 Secretary shall refund the excess amount to the City.

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

8 (d) DESCRIPTION OF PROPERTY.—The exact acreage
9 and legal description of the property to be conveyed under
10 subsection (a) shall be determined by a survey satisfactory
11 to the Secretary.

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

17 **SEC. 2829. LAND CONVEYANCE, FORMER GRIFFISS AIR**
18 **FORCE BASE, NEW YORK.**

19 (a) CONVEYANCE AUTHORIZED.—(1) The Secretary
20 of the Air Force may convey to the Oneida County Indus-
21 trial Development Agency, New York, the local reuse au-
22 thority for the former Griffiss Air Force Base (in this sec-
23 tion referred to as the “Authority”), all right, title and
24 interest of the United States in and to a parcel of real
25 property consisting of 9.639 acres and including four

1 buildings described in paragraph (2) that were vacated by
2 the Air Force in conjunction with its relocation to the Con-
3 solidated Intelligence and Reconnaissance Laboratory at
4 Air Force Research Laboratory—Rome Research Site,
5 Rome, New York.

6 (2) The buildings described in this paragraph are the
7 buildings located on the real property referred in para-
8 graph (1) as follows:

9 (A) Building 240 (117,323 square feet).

10 (B) Building 247 (13,199 square feet).

11 (C) Building 248 (4,000 square feet).

12 (D) Building 302 (20,577 square feet).

13 (3) The purpose of the conveyance under this sub-
14 section is to permit the Authority to develop the parcel
15 and structures conveyed for economic purposes in a man-
16 ner consistent with the Defense Base Closure and Realign-
17 ment Act of 1990 (part A of title XXIX of Public Law
18 101–510; 10 U.S.C. 2687 note).

19 (b) CONDITION OF CONVEYANCE.—The conveyance
20 under subsection (a) shall be subject to the condition that
21 the Authority accept the real property in its condition at
22 the time of the conveyance, commonly known as convey-
23 ance “as is”.

24 (c) CONSIDERATION.—As consideration for the con-
25 veyance of property under subsection (a), the Authority

1 shall pay the United States an amount equal to the fair
2 market of value, as determined by the Secretary.

3 (d) TREATMENT OF PROCEEDS.—Any consideration
4 received under subsection (c) shall be deposited in the De-
5 partment of Defense Base Closure Account 1990 estab-
6 lished by section 2906 of the Defense Base Closure and
7 Realignment Act of 1990, and shall be available for use
8 in accordance with subsection (b) of such section.

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

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

19 **Subtitle D—Other Matters**

20 **SEC. 2841. DEPARTMENT OF DEFENSE FOLLOW-ON LAB-** 21 **ORATORY REVITALIZATION DEMONSTRATION** 22 **PROGRAM.**

23 (a) FOLLOW-ON PROGRAM AUTHORIZED.—(1) The
24 Secretary of Defense may carry out a program (to be
25 known as the “Department of Defense Follow-On Labora-

1 tory Revitalization Demonstration Program”) for the re-
2 talization of Department of Defense laboratories. Under
3 the program, the Secretary may carry out minor military
4 construction projects in accordance with subsection (b)
5 and other applicable law to improve laboratories covered
6 by the program.

7 (2) The program under this section is the successor
8 program to the Department of Defense Laboratory Revi-
9 talization Demonstration Program carried out under sec-
10 tion 2892 of the Military Construction Authorization Act
11 for Fiscal Year 1996 (division B of Public Law 104–106;
12 10 U.S.C. 2805 note).

13 (b) INCREASED MAXIMUM AMOUNTS APPLICABLE TO
14 MINOR CONSTRUCTION PROJECTS.—For purpose of any
15 military construction project carried out under the pro-
16 gram—

17 (1) the amount provided in the second sentence
18 of subsection (a)(1) of section 2805 of title 10,
19 United States Code, shall be deemed to be
20 \$3,000,000;

21 (2) the amount provided in subsection (b)(1) of
22 such section shall be deemed to be \$1,500,000; and

23 (3) the amount provided in subsection (c)(1)(B)
24 of such section shall be deemed to be \$1,000,000.

1 (c) PROGRAM REQUIREMENTS.—(1) Not later than
2 30 days before commencing the program, the Secretary
3 shall—

4 (A) designate the Department laboratories at
5 which construction may be carried out under the
6 program; and

7 (B) establish procedures for the review and ap-
8 proval of requests from Department laboratories to
9 carry out such construction.

10 (2) The laboratories designated under paragraph
11 (1)(A) may not include Department laboratories that are
12 contractor owned.

13 (3) The Secretary shall notify Congress of the De-
14 partment laboratories designated under paragraph (1)(A).

15 (d) REPORT.—Not later than September 30, 2005,
16 the Secretary shall submit to the congressional defense
17 committees a report on the program under this section.
18 The report shall include—

19 (1) a list and description of the construction
20 projects carried out under the program, and of any
21 projects carried out under the program referred to
22 in subsection (a) during the period beginning on Oc-
23 tober 1, 2003, and ending on the date of the enact-
24 ment of this Act, including the location and costs of
25 each such project; and

1 (2) the assessment of the Secretary of the ad-
2 visability of extending or expanding the authority for
3 the program under this section.

4 (e) CONSTRUCTION OF AUTHORITY.—Nothing in this
5 section may be construed to limit any other authority pro-
6 vided by law for any military construction project at a De-
7 partment laboratory covered by the program.

8 (f) DEFINITIONS.—In this section:

9 (1) The term “laboratory” includes—

10 (A) a research, engineering, and develop-
11 ment center;

12 (B) a test and evaluation activity owned,
13 funded, and operated by the Federal Govern-
14 ment through the Department of Defense; and

15 (C) a supporting facility of a laboratory.

16 (2) The term “supporting facility”, with respect
17 to a laboratory, means any building or structure
18 that is used in support of research, development,
19 test, and evaluation at the laboratory.

20 (g) EXPIRATION OF AUTHORITY.—The authority to
21 carry out a project under the program under this section
22 expires on September 30, 2006.

1 **SEC. 2842. JURISDICTION AND UTILIZATION OF FORMER**
2 **PUBLIC DOMAIN LANDS, UMATILLA CHEM-**
3 **ICAL DEPOT, OREGON.**

4 (a) JURISDICTION.—The various parcels of real prop-
5 erty consisting of approximately 8,300 acres and located
6 within the boundaries of Umatilla Chemical Depot, Or-
7 egon, that were previously withdrawn from the public do-
8 main are determined to be no longer suitable for return
9 to the public domain and are hereby transferred to the
10 administrative jurisdiction of the Secretary of the Army.

11 (b) UTILIZATION.—The Secretary shall combine the
12 real property transferred under subsection (a) with other
13 lands and lesser interests comprising the Umatilla Chem-
14 ical Depot for purposes of their management and disposal
15 pursuant to title II of the Defense Authorization Amend-
16 ments and Base Closure and Realignment Act of 1988
17 (Public Law 100–526; 10 U.S.C. 2687 note) and other
18 applicable law.

19 **SEC. 2843. DEVELOPMENT OF HERITAGE CENTER FOR THE**
20 **NATIONAL MUSEUM OF THE UNITED STATES**
21 **ARMY.**

22 (a) AUTHORITY TO ENTER INTO AGREEMENT.—(1)
23 The Secretary of the Army may enter into an agreement
24 with the Army Historical Foundation, a nonprofit organi-
25 zation, for the design, construction, and operation of a fa-
26 cility or group of facilities at Fort Belvoir, Virginia (in

1 this section referred to as the “center”), for the National
2 Museum of the United States Army.

3 (2) The center shall be used for the identification,
4 curation, storage, and public viewing of artifacts and art-
5 work of significance to the United States Army, as agreed
6 to by the Secretary.

7 (3) The center may also be used to support such edu-
8 cation, training, research, and associated purposes as the
9 Secretary considers appropriate.

10 (b) DESIGN AND CONSTRUCTION.—(1) The design of
11 the center shall be subject to the approval of the Sec-
12 retary.

13 (2) For each phase of the development of the center,
14 the Secretary may—

15 (A) accept funds from the Army Historical
16 Foundation for the design and construction of such
17 phase of the center; or

18 (B) permit the Army Historical Foundation to
19 contract for the design and construction of such
20 phase of the center.

21 (c) ACCEPTANCE OF FACILITY.—(1) Upon satisfac-
22 tory completion, as determined by the Secretary, of any
23 phase of the center, and upon the satisfaction of any and
24 all financial obligations incident thereto by the Army His-
25 torical Foundation, the Secretary shall accept such phase

1 of the center from the Army Historical Foundation, and
2 all right, title, and interest in and to such phase of the
3 center shall vest in the United States.

4 (2) Upon becoming property of the United States, a
5 phase of the center accepted under paragraph (1) shall
6 be under the jurisdiction of the Secretary.

7 (d) USE OF CERTAIN GIFTS.—(1) Under regulations
8 prescribed by the Secretary, the Commander of the United
9 States Army Center of Military History may, without re-
10 gard to section 2601 of title 10, United States Code, ac-
11 cept, hold, administer, invest, and spend any gift, devise,
12 or bequest of personal property of a value of \$250,000
13 or less made to the United States if such gift, devise, or
14 bequest is for the benefit of the National Museum of the
15 United States Army or the center.

16 (2) The Secretary may pay or authorize the payment
17 of any reasonable and necessary expense in connection
18 with the conveyance or transfer of a gift, devise, or be-
19 quest under this subsection.

20 (e) LEASE OF FACILITY.—(1) The Secretary may
21 lease, under such terms and conditions as the Secretary
22 considers appropriate for the agreement authorized by
23 subsection (a), portions of the center developed under that
24 subsection to the Army Historical Foundation for use by
25 the public, commercial and nonprofit entities, State and

1 local governments, and other departments and agencies of
2 the Federal Government for use in generating revenue for
3 activities of the center and for such administrative pur-
4 poses as may be necessary for the support of the center.

5 (2) The amount of consideration paid to the Sec-
6 retary by the Army Historical Foundation for a lease
7 under paragraph (1) may not exceed an amount equal to
8 the actual cost, as determined by the Secretary, of the op-
9 erations and maintenance of the center.

10 (3) Notwithstanding any other provision of law, the
11 Secretary shall use amounts paid under paragraph (2) to
12 cover the costs of operation of the center.

13 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
14 retary may require such additional terms and conditions
15 in connection with the agreement authorized by subsection
16 (a) as the Secretary considers appropriate to protect the
17 interests of the United States.

Calendar No. 505

108TH CONGRESS
2^D Session

S. 2402

A BILL

To authorize appropriations for fiscal year 2005 for
military construction, and for other purposes.

MAY 11, 2004

Read twice and placed on the calendar