

Calendar No. 104

109TH CONGRESS
1ST SESSION**S. 1044**

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

IN THE SENATE OF THE UNITED STATES

MAY 17, 2005

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 2006 for military
construction, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Military Construction
5 Authorization Act for Fiscal Year 2006”.

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

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

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Congressional defense committees.

TITLE XXI—ARMY

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

TITLE XXII—NAVY

Sec. 2201. Authorized Navy construction and land acquisition projects.
 Sec. 2202. Family housing.
 Sec. 2203. Improvements to military family housing units.
 Sec. 2204. Authorization of appropriations, Navy.
 Sec. 2205. Modification of authority to carry out certain fiscal year 2005 projects.
 Sec. 2206. Modification of authority to carry out certain fiscal year 2004 project.

TITLE XXIII—AIR FORCE

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

TITLE XXIV—DEFENSE AGENCIES

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
 Sec. 2402. Energy conservation projects.
 Sec. 2403. 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 2003 projects.
 Sec. 2703. Extension of authorizations of certain fiscal year 2002 projects.
 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 cost variation authority.
- Sec. 2803. Department of Defense housing funds.
- Sec. 2804. Temporary authority to use minor military construction authority for construction of child development centers.
- Sec. 2805. Inapplicability to child development centers of restriction on authority to acquire or construct ancillary supporting facilities.
- Sec. 2806. Authority to carry out exchanges of facilities including associated utilities, equipment, and furnishings.
- Sec. 2807. Increase in number of family housing units in Korea authorized for lease by the Army at maximum amount.

Subtitle B—Real Property and Facilities Administration

- Sec. 2821. Authority to lease non-excess property of Department of Defense field activities.
- Sec. 2822. Modified criteria for agreements to limit encroachments and other constraints on military training, testing, and operations.

Subtitle C—Land Conveyances

PART I—ARMY CONVEYANCES

- Sec. 2841. Land conveyance, Helena, Montana.
- Sec. 2842. Land conveyance, Army Reserve Center, Bothell, Washington.

PART II—AIR FORCE CONVEYANCES

- Sec. 2861. Acquisition of build-to-lease family housing at Eielson Air Force Base, Alaska.

Subtitle D—Other Matters

- Sec. 2881. Reorganization and technical improvement of codified laws applicable to real property of the Department of Defense.
- Sec. 2882. Report on application of force protection and anti-terrorism standards to leased facilities.
- Sec. 2883. Construction at Fort Buchanan, Puerto Rico, for reserve components.
- Sec. 2884. Authority to use Papago Park Military Reservation, Arizona, for general military purposes.
- Sec. 2885. One-year extension of Department of Defense laboratory revitalization program.
- Sec. 2886. Sense of Congress on establishment of Bakers Creek Memorial.

1 SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.

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

TITLE XXI—ARMY

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or location	Amount
Alabama	Redstone Arsenal	\$20,000,000
Alaska	Fort Richardson	\$4,700,000
	Fort Wainwright	\$39,160,000
Arizona	Yuma Proving Ground	\$8,100,000
California	Fort Irwin	\$17,000,000
	Concord	\$11,850,000
Colorado	Fort Carson	\$70,622,000
Georgia	Fort Benning	\$28,211,000
	Fort Gillem	\$8,450,000
	Fort Stewart/Hunter Army Air Field	\$57,980,000
Hawaii	Pohakuloa Training Area	\$60,300,000
	Schofield Barracks	\$53,900,000
Kansas	Fort Riley	\$33,900,000
Kentucky	Fort Campbell	\$112,875,000
Louisiana	Fort Polk	\$28,887,000
Missouri	Fort Leonard Wood	\$17,000,000
New Jersey	Picatinny Arsenal	\$4,450,000
New York	Fort Drum	\$73,350,000
	United States Military Academy, West Point	\$4,000,000
North Carolina	Fort Bragg	\$289,850,000
Oklahoma	Fort Sill	\$5,850,000
	McAlester Army Ammunition Plant	\$5,400,000
Pennsylvania	Letterkenny Depot	\$6,300,000
Texas	Fort Hood	\$46,438,000
	Fort Sam Houston	\$7,000,000
Utah	Dugway Proving Ground	\$25,000,000
Virginia	Fort A.P. Hill	\$2,700,000
	Fort Belvoir	\$18,000,000
	Fort Eustis	\$3,100,000
	Fort Myer	\$15,200,000
Washington	Fort Lewis	\$99,949,000
	Total	\$1,195,122,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

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

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, for the purposes, and in the amounts set forth in the following table:

Army: Family Housing

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

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

8 **SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING**
9 **UNITS.**

10 Subject to section 2825 of title 10, United States
11 Code, and using amounts appropriated pursuant to the
12 authorization of appropriations in section 2104(a)(5)(A),
13 the Secretary of the Army may improve existing military
14 family housing units in an amount not to exceed
15 \$300,400,000.

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

17 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
18 are hereby authorized to be appropriated for fiscal years
19 beginning after September 30, 2005, for military con-
20 struction, land acquisition, and military family housing
21 functions of the Department of the Army in the total
22 amount of \$2,966,642,000 as follows:

23 (1) For military construction projects inside the
24 United States authorized by section 2101(a),
25 \$1,007,222,000.

1 (2) For military construction projects outside
2 the United States authorized by section 2101(b),
3 \$189,947,000.

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

7 (4) For architectural and engineering services
8 and construction design under section 2807 of title
9 10, United States Code, \$163,215,000.

10 (5) For military family housing functions:

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

14 (B) For support of military family housing
15 (including the functions described in section
16 2833 of title 10, United States Code),
17 \$812,993,000.

18 (6) For the construction of phase 2 of a bar-
19 racks complex at Fort Campbell, Kentucky, author-
20 ized by section 2101(a) of the Military Construction
21 Authorization Act for Fiscal Year 2005 (division B
22 of Public Law 108–375; 118 Stat. 2101),
23 \$24,650,000.

24 (7) For the construction of phase 3 of the
25 Lewis & Clark instructional facility at Fort Leaven-

1 worth, Kansas, authorized by section 2101(a) of the
2 Military Construction Authorization Act for Fiscal
3 Year 2004 (division B of Public Law 108–136; 117
4 Stat. 1697), \$42,642,000.

5 (8) For the construction of phase 2 of trainee
6 barracks basic training complex 1 at Fort Knox,
7 Kentucky, authorized by section 2101(a) of the Mili-
8 tary Construction Authorization Act for Fiscal Year
9 2005 (division B of Public Law 108–375; 118 Stat.
10 2101), \$21,000,000.

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

17 (10) For the construction of phase 2 of a li-
18 brary and learning center at the United States Mili-
19 tary Academy, West Point, New York, authorized by
20 section 2101(a) of the Military Construction Author-
21 ization Act for Fiscal Year 2005 (division B of Pub-
22 lic Law 108–375; 118 Stat. 2101), \$25,470,000.

23 (11) For the construction of phase 2 of a bar-
24 racks complex at Vilseck, Germany, authorized by
25 section 2101(b) of the Military Construction Author-

1 ization Act for Fiscal Year 2004 (division B of Pub-
2 lic Law 108–136; 117 Stat. 1698), \$13,600,000.

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

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

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

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

24 (2) \$16,500,000 (the balance of the amount au-
25 thorized under section 2101(a) for construction of a

1 barracks complex, 10300 block, Fort Drum, New
2 York).

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

7 (4) \$77,400,000 (the balance of the amount au-
8 thorized under section 2101(a) for construction of a
9 barracks complex for DIVARTY, Fort Bragg, North
10 Carolina).

11 (5) \$50,000,000 (the balance of the amount au-
12 thorized under section 2101(a) for construction of a
13 barracks complex for the 3rd Brigade, Fort Bragg,
14 North Carolina).

15 (6) \$13,000,000 (the balance of the amount au-
16 thorized under section 2101(a) for construction of a
17 defense access road, Fort Belvoir, Virginia).

18 **TITLE XXII—NAVY**

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

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

1 States, and in the amounts, set forth in the following
 2 table:

Navy: Inside the United States

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

3 (b) OUTSIDE THE UNITED STATES.—Using amounts
 4 appropriated pursuant to the authorization of appropria-
 5 tions in section 2204(a)(2), the Secretary of the Navy may
 6 acquire real property and carry out military construction

1 projects for the installation or location outside the United
 2 States, and in the amount, set forth in the following table:

Navy: Outside the United States

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

3 **SEC. 2202. FAMILY HOUSING.**

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

Navy: Family Housing

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

10 **SEC. 2203. 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 2204(a)(5)(A),
 15 the Secretary of the Navy may improve existing military
 16 family housing units in an amount not to exceed
 17 \$178,644,000.

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

2 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
3 are hereby authorized to be appropriated for fiscal years
4 beginning after September 30, 2005, for military con-
5 struction, land acquisition, and military family housing
6 functions of the Department of the Navy in the total
7 amount of \$1,918,465,000, as follows:

8 (1) For military construction projects inside the
9 United States authorized by section 2201(a),
10 \$761,751,000.

11 (2) For military construction projects outside
12 the United States authorized by section 2201(b),
13 \$25,584,000.

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

17 (4) For architectural and engineering services
18 and construction design under section 2807 of title
19 10, United States Code, \$54,507,000.

20 (5) For military family housing functions:

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

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

1 (6) For the construction of increment 2 of the
2 Presidential Helicopter program support facility at
3 Naval Air Warfare Station, Patuxent River, Mary-
4 land, authorized by section 2201(c) of the Military
5 Construction Authorization Act for Fiscal Year 2005
6 (division B of Public Law 108–375; 118 Stat.
7 2106), \$55,700,000.

8 (7) For the construction of increment 2 of the
9 apron and hangar recapitalization at Naval Air
10 Field, El Centro, California, authorized by section
11 2201(a) of the Military Construction Authorization
12 Act for Fiscal Year 2005 (division B of Public Law
13 108–375; 118 Stat. 2105), \$18,666,000.

14 (8) For the construction of increment 3 of pier
15 11 replacement at Naval Station, Norfolk, Virginia,
16 authorized by section 2201(a) of the Military Con-
17 struction Authorization Act for Fiscal Year 2004
18 (division B of Public Law 108–136; 117 Stat.
19 1704), \$40,200,000.

20 (9) For the construction of increment 2 of the
21 limited area production and storage complex at Stra-
22 tegic Weapons Facility Pacific, Bangor, Washington,
23 authorized by section 2201(a) of the Military Con-
24 struction Authorization Act for Fiscal Year 2005

1 (division B of Public Law 108–375; 118 Stat.
2 2106), \$47,095,000.

3 (10) For the construction of increment 2 of a
4 White Side complex at Marine Corps Air Facility,
5 Quantico, Virginia, authorized by section 2201(a) of
6 the Military Construction Authorization Act for Fis-
7 cal Year 2005 (division B of Public Law 108–375;
8 118 Stat. 2106), \$34,730,000.

9 (11) For the construction of increment 3 of the
10 general purpose berthing pier at Naval Weapons
11 Station, Earle, New Jersey, authorized by section
12 2201(a) of the Military Construction Authorization
13 Act for Fiscal Year 2004 (division B of Public Law
14 108–136; 117 Stat. 1704), \$64,432,000.

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

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

24 (2) \$43,424,000 (the balance of the amount au-
25 thorized under section 2201(a) to replace a heli-

1 copter hangar, Naval Air Station, Jacksonville, Flor-
2 ida).

3 (3) \$45,850,000 (the balance of the amount au-
4 thorized under section 2201(a) to upgrade infra-
5 structure, Recruit Training Command, Great Lakes,
6 Illinois).

7 (4) \$26,790,000 (the balance of the amount au-
8 thorized under section 2201(a) for construction of
9 the Wesley Brown Field House, United States Naval
10 Academy, Annapolis, Maryland).

11 (5) \$31,059,000 (the balance of the amount au-
12 thorized under section 2201(a) to replace ship repair
13 pier 3, Naval Station, Norfolk, Virginia).

14 (6) \$21,000,000 (the balance of the amount au-
15 thorized under section 2201(a) for construction of a
16 bachelor enlisted quarters for the homeport ashore
17 program, Naval Station, Everett, Washington).

18 (7) \$33,421,000 (the balance of the amount au-
19 thorized under section 2201(a) to perform reclama-
20 tion and conveyance activities, Marine Corps Base,
21 Camp Pendleton, California).

22 (8) \$29,889,000 (the balance of the amount au-
23 thorized under section 2201(b) to improve Alpha/
24 Bravo wharves, Naval Station, Guam).

1 (c) ADJUSTMENT.—The total amount authorized to
 2 be appropriated pursuant to paragraphs (1) through (11)
 3 of subsection (a) is the sum of the amounts authorized
 4 to be appropriated in such paragraphs, reduced by
 5 \$92,354,000, which represents prior year savings.

6 **SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT**
 7 **CERTAIN FISCAL YEAR 2005 PROJECTS.**

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

13 (1) in the item relating to Marine Corps Air
 14 Facility, Quantico, Virginia, by striking
 15 “\$73,838,000” in the amount column and inserting
 16 “\$74,470,000”; and

17 (2) by striking the amount identified as the
 18 total in the amount column and inserting
 19 “\$952,687,000”.

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

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

4 (2) by striking the amount identified as the
 5 total in the amount column and inserting
 6 “\$95,200,000”.

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

9 (1) in paragraph (4), by striking
 10 “\$34,098,000” and inserting “\$34,730,000”; and

11 (2) in paragraph (7), by striking
 12 “\$65,982,000” and inserting “\$55,200,000”.

13 **SEC. 2206. MODIFICATION OF AUTHORITY TO CARRY OUT**
 14 **CERTAIN FISCAL YEAR 2004 PROJECT.**

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

20 (1) in the item relating to Naval Weapons Sta-
 21 tion, Earle, New Jersey, by striking “\$123,720,000”
 22 in the amount column and inserting
 23 “\$140,372,000”; and

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

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

TITLE XXIII—AIR FORCE

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or location	Amount
Alabama	Maxwell Air Force Base	\$14,900,000
Alaska	Clear Air Station	\$20,000,000
	Elmendorf Air Force Base	\$92,820,000
Arizona	Davis-Monthan Air Force Base	\$8,600,000
	Luke Air Force Base	\$13,000,000
Arkansas	Little Rock Air Force Base	\$2,500,000
California	Beale Air Force Base	\$14,200,000
	Edwards Air Force Base	\$103,000,000
	Los Angeles Air Force Base	\$2,500,000
	Travis Air Force Base	\$42,500,000
	Vandenberg Air Force Base	\$16,845,000
Colorado	Buckley Air Force Base	\$20,100,000
	Peterson Air Force Base	\$12,800,000
	United States Air Force Academy ..	\$13,000,000
Delaware	Dover Air Force Base	\$19,000,000
District of Columbia	Bolling Air Force Base	\$14,900,000
Florida	Cape Canaveral	\$6,200,000
	Hurlburt Field	\$2,540,000
	MacDill Air Force Base	\$107,200,000
	Tyndall Air Force Base	\$11,500,000
Georgia	Robins Air Force Base	\$2,000,000

Air Force: Inside the United States—Continued

State	Installation or location	Amount
Hawaii	Hickam Air Force Base	\$13,378,000
Idaho	Mountain Home Air Force Base	\$9,835,000
Louisiana	Barksdale Air Force Base	\$10,800,000
Massachusetts	Hanscom Air Force Base	\$3,900,000
Mississippi	Columbus Air Force Base	\$10,000,000
	Keesler Air Force Base	\$47,500,000
Missouri	Whiteman Air Force Base	\$5,721,000
Montana	Malmstrom Air Force Base	\$13,500,000
Nebraska	Offutt Air Force Base	\$63,080,000
Nevada	Indian Springs Air Force Auxiliary Field	\$60,724,000
	Nellis Air Force Base	\$24,370,000
New Jersey	McGuire Air Force Base	\$13,185,000
New Mexico	Holloman Air Force Base	\$15,000,000
	Kirtland Air Force Base	\$6,600,000
North Dakota	Minot Air Force Base	\$8,700,000
Ohio	Wright-Patterson Air Force Base ..	\$19,670,000
Oklahoma	Tinker Air Force Base	\$31,960,000
	Vance Air Force Base	\$14,000,000
South Carolina	Charleston Air Force Base	\$2,583,000
	Shaw Air Force Base	\$9,730,000
South Dakota	Ellsworth Air Force Base	\$8,400,000
Texas	Sheppard Air Force Base	\$36,000,000
Utah	Hill Air Force Base	\$33,900,000
Virginia	Langley Air Force Base	\$38,665,000
Washington	Fairchild Air Force Base	\$6,800,000
	Total	\$1,048,106,000

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

Air Force: Outside the United States

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

Air Force: Outside the United States—Continued

Country	Installation or location	Amount
	Total	\$185,596,000

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

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

Air Force: Family Housing

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

9 (b) PLANNING AND DESIGN.—Using amounts appro-
10 priated pursuant to the authorization of appropriations in
11 section 2304(a)(5)(A), the Secretary of the Air Force may
12 carry out architectural and engineering services and con-
13 struction design activities with respect to the construction

1 or improvement of military family housing units in an
2 amount not to exceed \$37,104,000.

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

5 Subject to section 2825 of title 10, United States
6 Code, and using amounts appropriated pursuant to the
7 authorization of appropriations in section 2304(a)(5)(A),
8 the Secretary of the Air Force may improve existing mili-
9 tary family housing units in an amount not to exceed
10 \$409,113,000.

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

13 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
14 are hereby authorized to be appropriated for fiscal years
15 beginning after September 30, 2005, for military con-
16 struction, land acquisition, and military family housing
17 functions of the Department of the Air Force in the total
18 amount of \$3,116,982,000, as follows:

19 (1) For military construction projects inside the
20 United States authorized by section 2301(a),
21 \$923,106,000.

22 (2) For military construction projects outside
23 the United States authorized by section 2301(b),
24 \$185,596,000.

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

4 (4) For architectural and engineering services
5 and construction design under section 2807 of title
6 10, United States Code, \$83,719,000.

7 (5) For military family housing functions:

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

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

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 2301 of this Act
19 may not exceed the sum of the following:

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

23 (2) \$30,000,000 (the balance of the amount au-
24 thorized under section 2301(a) for a C-17 mainte-
25 nance complex, Elmendorf Air Force Base, Alaska).

(3) \$66,000,000 (the balance of the amount authorized under section 2301(a) to replace the main runway, Edwards Air Force Base, California).

(4) \$29,000,000 (the balance of the amount authorized under section 2301(a) for construction of a joint intelligence center for Headquarters, Central Command, MacDill Air Force Base, Florida).

TITLE XXIV—DEFENSE AGENCIES

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

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

Defense Agencies: Inside the United States

Agency	Installation or location	Amount
Defense Intelligence Agency	Bolling Air Force Base, District of Columbia	\$7,900,000
Defense Logistics Agency	Cannon Air Force Base, New Mexico	\$13,200,000
	Defense Distribution Depot, New Cumberland, Pennsylvania	\$6,500,000
	Defense Distribution Depot, Tracy, California	\$33,635,000
	Fort Belvoir, Virginia	\$4,500,000
	Marine Corps Air Station Yuma, Arizona	\$7,300,000
	McConnell Air Force Base, Kansas	\$15,800,000
	Miramar, California	\$23,000,000
	Naval Station, Norfolk, Virginia	\$6,700,000
	Seymour Johnson Air Force Base, North Carolina	\$18,500,000
Defense Education Agency ...	Fort Bragg, North Carolina	\$18,075,000

Defense Agencies: Inside the United States—Continued

Agency	Installation or location	Amount
National Security Agency	Fort Stewart/Hunter Army Air Field, Georgia	\$16,629,000
	Augusta, Georgia	\$61,466,000
Special Operations Command	Fort Meade, Maryland	\$28,049,000
	Kunio, Hawaii	\$61,466,000
	Eglin Air Force Base, Florida	\$12,800,000
	Fort Bragg, North Carolina	\$14,769,000
	Fort Campbell, Kentucky	\$37,800,000
	Fort Lewis, Washington	\$53,300,000
	Fort Stewart/Hunter Army Air Field, Georgia	\$10,000,000
TRICARE Management Activity	Naval Surface Warfare Center, Corona, California	\$28,350,000
	Beale Air Force Base, California	\$18,000,000
	Charleston, South Carolina	\$35,000,000
	Fort Detrick, Maryland	\$55,200,000
	Keesler Air Force Base, Mississippi	\$14,000,000
	Lackland Air Force Base, Texas	\$11,000,000
	Naval Hospital, San Diego, California	\$15,000,000
	Nellis Air Force Base, Nevada	\$1,700,000
	Uniformed Services University of the Health Sciences, Bethesda, Maryland	\$10,350,000
	Peterson Air Force Base, Colorado ..	\$1,820,000
Total		\$641,809,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2403(a)(2), the Secretary of Defense may
4 acquire real property and carry out military construction
5 projects for the installations or locations outside the
6 United States, and in the amounts, set forth in the fol-
7 lowing table:

Defense Agencies: Outside the United States

Agency	Installation or location	Amount
Defense Education Agency ...	Landstuhl, Germany	\$6,543,000
	Vilseck, Germany	\$2,323,000
	Agana, Guam	\$40,578,000
	Taegu, Korea	\$8,231,000
	Naval Station, Rota, Spain	\$7,963,000
Defense Logistics Agency	Souda Bay, Greece	\$7,089,000
Missile Defense Agency	Kwajalein Atoll, Kwajalein	\$4,901,000
National Security Agency	Menwith Hall, United Kingdom	\$41,697,000
TRICARE Management Activity	Bahrain, SWA	\$4,750,000

Defense Agencies: Outside the United States—Continued

Agency	Installation or location	Amount
	Total	\$124,075,000

1 **SEC. 2402. ENERGY CONSERVATION PROJECTS.**

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

7 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DE-**
8 **FENSE AGENCIES.**

9 (a) IN GENERAL.—Funds are hereby authorized to
10 be appropriated for fiscal years beginning after September
11 30, 2005, for military construction, land acquisition, and
12 military family housing functions of the Department of
13 Defense (other than the military departments) in the total
14 amount of \$2,973,914,000, as follows:

15 (1) For military construction projects inside the
16 United States authorized by section 2401(a),
17 \$641,809,000.

18 (2) For military construction projects outside
19 the United States authorized by section 2401(b),
20 \$123,104,000.

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

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

4 (5) For architectural and engineering services
5 and construction design under section 2807 of title
6 10, United States Code, \$135,081,000.

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

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

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

21 (9) For military family housing functions:

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

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

5 (10) For the construction of increment 2 of the
6 hospital replacement at Fort Belvoir, Virginia, au-
7 thorized by section 2401(a) of the Military Construc-
8 tion Authorization Act of Fiscal Year 2005 (division
9 B of Public Law 108–375; 118 Stat. 2100),
10 \$57,000,000.

11 (b) NOTICE AND WAIT REQUIREMENT APPLICABLE
12 TO OBLIGATION OF FUNDS FOR BASE CLOSURE AND RE-
13 ALIGNMENT ACTIVITIES.—None of the funds authorized
14 to be appropriated by subsection (a)(8) may be obligated
15 until 21 days after the date on which the Secretary of
16 Defense submits to the congressional defense committees
17 a report describing the specific programs, projects, and
18 activities for which such funds are to be obligated.

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, 2005, 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 \$206,858,000.

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

SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

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

(1) For the Department of the Army—

(A) for the Army National Guard of the United States, \$464,680,000; and

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

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

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, \$245,861,000; and

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

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, 2008; or

16 (2) the date of the enactment of an Act author-
 17 izing funds for military construction for fiscal year
 18 2009.

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

1 (1) October 1, 2008; or

2 (2) the date of the enactment of an Act author-
 3 izing funds for fiscal year 2009 for military con-
 4 struction projects, land acquisition, family housing
 5 projects and facilities, or contributions to the North
 6 Atlantic Treaty Organization Security Investment
 7 program.

8 **SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 9 **FISCAL YEAR 2003 PROJECTS.**

10 (a) EXTENSION.—Notwithstanding section 2701 of
 11 the Military Construction Authorization Act for Fiscal
 12 Year 2003 (division B of Public Law 107–314; 116 Stat.
 13 2681), authorizations set forth in the tables in subsection
 14 (b), as provided in sections 2301, 2302, and 2401 of that
 15 Act, shall remain in effect until October 1, 2006, or the
 16 date of the enactment of an Act authorizing funds for mili-
 17 tary construction for fiscal year 2007, whichever is later.

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

Air Force: Extension of 2003 Project Authorizations

State	Installation or loca- tion	Project	Amount
Florida	Eglin Air Force Base ..	Replace family housing (134 Units)	\$15,906,000
Florida	Eglin Air Force Base ..	Replace Family Housing Of- fice	\$597,000
Mississippi	Keesler Air Force Base	Replace family housing (117 Units)	\$16,505,000

Air Force: Extension of 2003 Project Authorizations—Continued

State	Installation or location	Project	Amount
Texas	Randolph Air Force Base	Replace family housing (112 Units)	\$14,311,000
Texas	Randolph Air Force Base	Replace Housing Maintenance Facility	\$447,000
Italy	Aviano Air Base	Consolidate Area A-1 and A-2	\$5,000,000

Defense Wide: Extension of 2003 Project Authorization

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

1 **SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
2 **FISCAL YEAR 2002 PROJECTS.**

3 (a) EXTENSION.—Notwithstanding section 2701 of
4 the Military Construction Authorization Act for Fiscal
5 Year 2002 (division B of Public Law 107–107; 115 Stat.
6 1301), authorizations set forth in the tables in subsection
7 (b), as provided in sections 2101 and 2302 of that Act,
8 shall remain in effect until October 1, 2006, or the date
9 of the enactment of an Act authorizing funds for military
10 construction for fiscal year 2007, whichever is later.

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

Army: Extension of 2002 Project Authorization

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

Air Force: Extension of 2002 Project Authorization

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

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

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

4 (1) October 1, 2005; 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, 2005.

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

2 (a) LIMITATION ON COST DECREASES RELATED TO
3 MILITARY CONSTRUCTION AND MILITARY FAMILY HOUS-
4 ING PROJECTS.—Section 2853 of title 10, United States
5 Code, is amended—

6 (1) in subsection (a)—

7 (A) by striking “may be increased by not
8 more than 25 percent” and inserting “may be
9 increased or decreased by not more than 25
10 percent”; and

11 (B) by striking “if the Secretary concerned
12 determines that such an increase in cost is re-
13 quired” and inserting “if the Secretary con-
14 cerned determines that such revised cost is re-
15 quired”;

16 (2) in subsection (c)—

17 (A) by striking “limitation on cost in-
18 crease” and inserting “limitation on cost vari-
19 ations”; and

20 (B) by striking “the increase” both place
21 it appears and inserting “the variation”; and

22 (3) in subsection (d), by striking “limitation on
23 cost increases” and inserting “limitation on cost
24 variations”.

25 (b) ADDITIONAL INFORMATION REQUIRED FOR NO-
26 TIFICATION IN CONNECTION WITH WAIVER OF LIMITA-

1 TIONS ON COST INCREASES.—Subsection (c)(2) of such
 2 section is further amended by inserting after “the reasons
 3 therefor” the following: “, including a description of the
 4 funds proposed to be used to finance any increased costs”.

5 (c) TECHNICAL AMENDMENTS.—

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

8 **“§ 2853. Authorized cost and scope of work vari-**
 9 **ations”.**

10 (2) TABLE OF SECTIONS.—The item relating to
 11 such section in the table of sections at the beginning
 12 of chapter 169 of such title is amended to read as
 13 follows:

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

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

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

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

21 (2) by adding at the end the following new
 22 paragraph:

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

1 (b) AUTHORITY TO TRANSFER FUNDS APPRO-
 2 PRIATED FOR THE IMPROVEMENT OF MILITARY FAMILY
 3 HOUSING TO DEFENSE HOUSING FUNDS.—Subsection
 4 (c)(1)(B) of such section is amended by striking “acquisi-
 5 tion or construction” and inserting “acquisition, improve-
 6 ment, or construction”.

7 (c) REPORTING REQUIREMENTS RELATED TO DE-
 8 PARTMENT OF DEFENSE HOUSING FUNDS.—Section
 9 2884 of such title is amended—

10 (1) in subsection (a)(2)(D), by inserting after
 11 “description of the source of such funds” the fol-
 12 lowing: “, including a description of the specific con-
 13 struction, acquisition, or improvement projects from
 14 which funds were transferred to the Funds estab-
 15 lished under section 2883 of this title in order to fi-
 16 nance the contract, conveyance, or lease”; and

17 (2) in subsection (b)(1)—

18 (A) by striking “a report” and inserting “a
 19 separate report”;

20 (B) by striking “covering the Funds” and
 21 inserting “covering each of the Funds”; and

22 (C) by striking the period at the end and
 23 inserting the following: “, including a descrip-
 24 tion of the specific construction, acquisition, or
 25 improvement projects from which funds were

transferred and the privatization projects or contracts to which those funds were transferred. Each report shall also include, for each military department or defense agency, a description of all funds to be transferred to such Funds for the current fiscal year and the next fiscal year.”.

SEC. 2804. TEMPORARY AUTHORITY TO USE MINOR MILITARY CONSTRUCTION AUTHORITY FOR CONSTRUCTION OF CHILD DEVELOPMENT CENTERS.

(a) THRESHOLDS ON CONSTRUCTION AUTHORIZED.—The Secretary of Defense shall establish a program to carry out minor military construction projects under section 2805 of title 10, United States Code, to construct child development centers.

(b) INCREASED MAXIMUM AMOUNTS APPLICABLE TO MINOR CONSTRUCTION PROJECTS.—For the purpose of any military construction project carried out under the authority provided by this section—

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

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

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

6 (4) the amount specified in subsection (c)(1)(A)
7 of such section shall be deemed to be \$7,000,0000;
8 and

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

11 (c) PROGRAM REQUIREMENTS.—

12 (1) NOTIFICATION.—All notification require-
13 ments under such section shall remain in effect for
14 construction projects carried out under the authority
15 provided by this section.

16 (2) REVIEW AND APPROVAL.—The Secretary
17 shall establish procedures for the review and ap-
18 proval of requests from the Secretaries of military
19 departments to carry out construction projects under
20 the authority provided by this section.

21 (d) REPORT ON PROGRAM.—

22 (1) REPORT REQUIRED.—Not later than March
23 1, 2007, the Secretary of Defense shall submit to
24 the congressional defense committees a report on the
25 program authorized under this section.

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

2 (A) a list and description of the construc-
3 tion projects carried out under the program, in-
4 cluding the location and cost of each such
5 project; and

6 (B) the assessment of the Secretary of the
7 advisability of extending or expanding the au-
8 thority for the program under this section.

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

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

15 (g) CHILD DEVELOPMENT CENTER DEFINED.—In
16 this section, the term “child development center” includes
17 a facility, and the utilities to support such facility, the
18 function of which is to support the daily care of children
19 aged 6 weeks old through 5 years old for full-day, part-
20 day, and hourly service.

1 **SEC. 2805. INAPPLICABILITY TO CHILD DEVELOPMENT**
 2 **CENTERS OF RESTRICTION ON AUTHORITY**
 3 **TO ACQUIRE OR CONSTRUCT ANCILLARY**
 4 **SUPPORTING FACILITIES.**

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

9 **SEC. 2806. AUTHORITY TO CARRY OUT EXCHANGES OF FA-**
 10 **CILITIES INCLUDING ASSOCIATED UTILITIES,**
 11 **EQUIPMENT, AND FURNISHINGS.**

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

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

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

19 “(2) any associated utilities, equipment, and
 20 furnishings required to be installed in any such facil-
 21 ity.”.

22 (b) TEMPORARY AUTHORITY RELATED TO CASH
 23 EQUALIZATION PAYMENTS.—Section 2809(c)(4) of the
 24 Ronald W. Reagan National Defense Authorization Act
 25 for Fiscal Year 2005 (Public Law 108–375; 118 Stat.
 26 2127) is amended by striking “the term ‘facility’ has the

1 meaning given that term in section 18232(2) of title 10,
 2 United States Code” and inserting the following: “the
 3 term ‘facility’ has the meaning given that term in section
 4 18240(h) of title 10, United States Code”.

5 **SEC. 2807. INCREASE IN NUMBER OF FAMILY HOUSING**
 6 **UNITS IN KOREA AUTHORIZED FOR LEASE BY**
 7 **THE ARMY AT MAXIMUM AMOUNT.**

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

10 **Subtitle B—Real Property and**
 11 **Facilities Administration**

12 **SEC. 2821. AUTHORITY TO LEASE NON-EXCESS PROPERTY**
 13 **OF DEPARTMENT OF DEFENSE FIELD ACTIVI-**
 14 **TIES.**

15 Section 2667a of title 10, United States Code, is
 16 amended—

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

18 **“§ 2667a. Leases: non-excess property of Defense**
 19 **Agencies and Department of Defense**
 20 **Field Activities”;**

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

24 (3) in subsection (d)—

(A) by striking “Defense agency” and inserting “Defense Agency or Department of Defense Field Activity”; and

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

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

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

(1) in subsection (a)—

(A) by inserting “or entities” after “entity”; and

(B) by striking “in the vicinity of a military installation” and inserting “in the vicinity of, or ecologically related to, a military installation or the airspace of such installation”;

(2) in subsection (d)—

(A) in paragraph (1)—

(i) by striking “An agreement with an eligible entity under this section may provide for” and inserting “An agreement

1 with an eligible entity or entities under this
2 section shall provide for”;

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

5 (iii) by amending subparagraph (B) to
6 read as follows:

7 “(B) the equal sharing by the Department of
8 Defense and the entity or entities of the acquisition
9 costs, whether by contribution of funding or like-
10 kind exchange of property or lesser property inter-
11 est.”;

12 (B) by redesignating paragraphs (2), (3),
13 (4), and (5) as paragraphs (4), (5), (6), and
14 (7), respectively;

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

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

20 “(A) the Secretary determines that the agree-
21 ment is essential to accomplish the mission of the in-
22 stallation;

23 “(B) the Secretary notifies the congressional
24 defense committees in writing of the determination
25 and the reasons for the determination; and

1 “(C) a period of 21 days has elapsed after the
2 date on which such notification is received by the
3 committees.

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

7 (D) in paragraph (5), as redesignated by
8 subparagraph (B), by inserting “or entities”
9 after “entity”;

10 (3) by redesignating subsection (h) as sub-
11 section (i); and

12 (4) by inserting after subsection (g) the fol-
13 lowing new subsection:

14 “(h) ANNUAL REPORTS.—(1) Not later than March
15 15, 2006, and annually thereafter, the Secretary of De-
16 fense shall, in coordination with the Secretaries of the
17 military departments and the Director of the Department
18 of Defense Test Management Resource Center, submit to
19 the congressional defense committees a report on the im-
20 plementation of projects undertaken pursuant to this sec-
21 tion.

22 “(2) The reports submitted under paragraph (1) shall
23 include—

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

1 (B) an assessment of the effectiveness of such
2 projects and other actions undertaken pursuant to
3 this section as part of a long-range strategy to en-
4 sure the sustainability of military test and training
5 ranges, military installations, and associated air-
6 space;

7 (C) an evaluation of the methodology and cri-
8 teria used to select and prioritize projects under-
9 taken pursuant to this section;

10 (D) a description of the shared costs by the De-
11 partment of Defense and the eligible entity or enti-
12 ties under each agreement undertaken or proposed;
13 and

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

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

Subtitle C—Land Conveyances

PART I—ARMY CONVEYANCES

SEC. 2841. LAND CONVEYANCE, HELENA, MONTANA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey by quitclaim deed to the Helena Indian Alliance, all right, title, and interest of the United States in and to a parcel of real property consisting of approximately 3.0 acres located at Sheridan Hall United States Army Reserve Center, 501 Euclid Avenue, Helena, Montana, including improvements thereon, for the purposes of supporting Native American health care, mental health counseling, and the operation of an education training center.

(b) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purposes of the conveyance specified in such subsection, all right, title, and interest in and to the property shall revert, at the option of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

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

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

23 (d) DESCRIPTION OF REAL PROPERTY.—The exact
24 acreage and legal description of the real property to be

1 conveyed under subsection (a) shall be determined by a
 2 survey satisfactory to the Secretary.

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

8 **SEC. 2842. LAND CONVEYANCE, ARMY RESERVE CENTER,**
 9 **BOTHELL, WASHINGTON.**

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

20 (b) **REVERSIONARY INTEREST.**—If the Secretary de-
 21 termines at any time that the real property conveyed
 22 under subsection (a) is not being used in accordance with
 23 the purpose of the conveyance specified in such subsection,
 24 all right, title, and interest in and to the property shall
 25 revert, at the option of the Secretary, to the United States,

1 and the United States shall have the right of immediate
2 entry onto the property. Any determination of the Sec-
3 retary under this subsection shall be made on the record
4 after an opportunity for a hearing.

5 (c) PAYMENT OF COSTS OF CONVEYANCE.—

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

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

1 same conditions and limitations, as amounts in such
2 fund or account.

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

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

13 **PART II—AIR FORCE CONVEYANCES**

14 **SEC. 2861. ACQUISITION OF BUILD-TO-LEASE FAMILY HOUS-** 15 **ING AT EIELSON AIR FORCE BASE, ALASKA.**

16 (a) ACQUISITION AUTHORIZED.—

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

24 (2) DESCRIPTION OF PROJECT.—The military
25 family housing project referred to in this section is

1 the 300-unit military family housing project at
2 Eielson Air Force Base that was constructed by the
3 developer and is leased by the Secretary under sec-
4 tion 2835 of title 10, United States Code (in this
5 section referred to as the “Eielson housing
6 project”).

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

12 (c) TIME FOR PURCHASE.—

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

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

1 **Subtitle D—Other Matters**

2 **SEC. 2881. REORGANIZATION AND TECHNICAL IMPROVE-** 3 **MENT OF CODIFIED LAWS APPLICABLE TO** 4 **REAL PROPERTY OF THE DEPARTMENT OF** 5 **DEFENSE.**

6 (a) CONSOLIDATION OF ACQUISITION AUTHORITY.—
 7 Section 2663 of title 10, United States Code, is amend-
 8 ed—

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

11 (2) in subsection (a)—

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

15 (B) by striking “(a) The Secretary” and
 16 inserting the following:

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

18 (C) in paragraph (1)(C), as redesignated
 19 by this paragraph, by striking “clause (2)” and
 20 inserting “subparagraph (B)”;

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

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

1 (5) by adding at the end the following new sub-
2 sections:

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

6 “(A) the Secretary determines—

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

9 “(ii) does not cost more than
10 \$750,000, exclusive of administrative costs
11 and the amounts of any deficiency judg-
12 ments; or

13 “(B) the Secretary determines—

14 “(i) is needed solely to correct a defi-
15 ciency that is life-threatening, health-
16 threatening, or safety-threatening; and

17 “(ii) does not cost more than
18 \$1,500,000, exclusive of administrative
19 costs and the amounts of any deficiency
20 judgments.

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

24 “(A) the parcels are noncontiguous; or

25 “(B) if the parcels are contiguous—

1 “(i) the total cost of such parcels is not
 2 more than \$750,000 in the case of an acqui-
 3 sition under paragraph (1)(A); or

4 “(ii) the total cost of such parcels is not
 5 more than \$1,500,000 in the case of an acqui-
 6 sition under paragraph (1)(B).

7 “(3) Appropriations available to the Department of
 8 Defense for operation and maintenance or for military
 9 construction may be used for the acquisition of land or
 10 interests in land under paragraph (1).

11 “(c) INTERESTS IN LAND WHEN NEED IS UR-
 12 GENT.—(1) The Secretary of a military department may
 13 acquire any interest in land in any case in which the Sec-
 14 retary determines that—

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

17 “(B) the acquisition is required to main-
 18 tain the operational integrity of a military in-
 19 stallation; and

20 “(C) considerations of urgency do not per-
 21 mit the delay necessary to include the acqui-
 22 sition in an annual Military Construction Author-
 23 ization Act.

24 “(2) Not later than 10 days after the date on which
 25 the Secretary of a military department determines to ac-

1 quire an interest in land under the authority of this sub-
 2 section, the Secretary shall submit to the Committee on
 3 Armed Services of the Senate and the Committee on
 4 Armed Services of the House of Representatives written
 5 notice containing a description of the property and interest
 6 to be acquired and the reasons for the acquisition.

7 “(3) Appropriations available for military construc-
 8 tion may be used for the acquisition of land under this
 9 subsection.

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

13 “(1) make surveys; and

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

17 (b) ACQUISITION LIMITATIONS.—

18 (1) TRANSFER OF LIMITATIONS.—Section 2676
 19 of such title is—

20 (A) transferred to appear after section
 21 2663 of such title; and

22 (B) redesignated as section 2664 of such
 23 title.

1 (2) STYLISTIC AND CLERICAL AMENDMENTS.—

2 Section 2664 of such title, as redesignated by para-
3 graph (1), is amended—

4 (A) by striking subsection (b);

5 (B) by redesignating subsections (c), (d),
6 and (e) as subsections (b), (c), and (d), respec-
7 tively;

8 (C) in subsection (b), as redesignated by
9 subparagraph (B)—

10 (i) by striking “determines (A) that
11 such” and inserting the following: “deter-
12 mines that—

13 “(A) such”;

14 (ii) by striking “cost, and (B) that
15 such” and inserting the following: “cost;
16 and

17 “(B) that such”; and

18 (iii) by striking “subsection (d)” and
19 inserting “subsection (c)”;

20 (D) in subsection (c), as so redesignated,
21 by striking “subsection (c)” and inserting “sub-
22 section (b)”;

23 (E) in subsection (d), as so redesignated,
24 by striking “subsections (c) and (d)” and in-
25 serting “subsections (b) and (c)”.

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

3 (1) Section 2672.

4 (2) Section 2672a.

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

7 (1) by amending the item relating to section
 8 2663 to read as follows:

“2663. Acquisition authority.”;

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

“2664. Acquisition: limitations.”; and

11 (3) by striking the items relating to sections
 12 2672, 2672a, and 2676.

13 (e) REPEAL OF OBSOLETE AUTHORITY.—Section
 14 2665 of such title is amended—

15 (1) by striking subsection (a);

16 (2) by redesignating subsections (b), (c), (d),
 17 (e), and (f) as subsections (a), (b), (c), (d), and (e),
 18 respectively;

19 (3) in subsection (b), as redesignated by para-
 20 graph (2), by striking “subsection (a) or (b)” and
 21 inserting “subsection (a)”; and

22 (4) in paragraph (2) of subsection (e), as so re-
 23 designated—

1 (A) by striking “subsections (a) and (b)”
 2 and inserting “subsection (a)”;

3 (B) by striking “subsection (d)” and in-
 4 serting “subsection (e)”;

5 (C) by striking “subsection (e)” and in-
 6 serting “subsection (d)”.

7 (f) TRANSFER OF FORD ISLAND PROVISION.—

8 (1) TRANSFER AND REDESIGNATION.—Section
 9 2814 of such title is—

10 (A) transferred to appear after section
 11 7524 of such title; and

12 (B) redesignated as section 7525 of such
 13 title.

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

18 (A) in paragraph (2)—

19 (i) by striking “To extent” and insert-
 20 ing “To the extent; and

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

23 (B) in paragraph (3)(B), by striking “this
 24 chapter” and inserting “chapter 169 of this
 25 title”.

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

“(d) In this chapter, the terms ‘Secretary concerned’ and ‘Secretary of a military department’ include the Secretary of Defense with respect to the Pentagon Reservation.”.

(a) REPORT REQUIRED.—Not later than May 1, 2006, the Secretary of Defense shall submit to the congressional defense committees a report on the application of Department of Defense Anti-Terrorism/Force Protection standards to all facilities leased by the Department of Defense or leased by the General Services Administra-

1 tion as an agent for the Department of Defense as of Sep-
2 tember 30, 2005.

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

6 (1) A description of the function of the leased
7 facility, including the location, size, terms of lease,
8 and the number of personnel housed within the facil-
9 ity.

10 (2) A description of the threat assessment and
11 the joint security integrated vulnerability assessment
12 for each leased facility.

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

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

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

1 (c) INFORMATION ON SUPPORT PRIORITIES.—The
 2 report submitted under subsection (a) shall also include
 3 a separate description of the procedures used by the Sec-
 4 retary of Defense to prioritize funding for the application
 5 of force protection and antiterrorism standards to leased
 6 facilities, including a description of any such procedures
 7 applicable to the entire Department of Defense.

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

12 **SEC. 2883. CONSTRUCTION AT FORT BUCHANAN, PUERTO**
 13 **RICO, FOR RESERVE COMPONENTS.**

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

18 “(2) The construction, conversion, rehabilita-
 19 tion, extension, and improvement of reserve compo-
 20 nent and nonappropriated fund facilities.”.

21 **SEC. 2884. AUTHORITY TO USE PAPAGO PARK MILITARY**
 22 **RESERVATION, ARIZONA, FOR GENERAL MILI-**
 23 **TARY PURPOSES.**

24 Section 1 of the Act of April 7, 1930 (46 Stat. 142,
 25 chapter 107), is amended by striking “reserved for mili-

1 tary purposes for use of the National Guard of Arizona
 2 as a rifle range” and inserting “reserved for military pur-
 3 poses for use by the State of Arizona as a military installa-
 4 tion known as Papago Park Military Reservation”.

5 **SEC. 2885. ONE-YEAR EXTENSION OF DEPARTMENT OF DE-**
 6 **FENSE LABORATORY REVITALIZATION PRO-**
 7 **GRAM.**

8 Section 2892(g) of the National Defense Authoriza-
 9 tion Act for Fiscal Year 1996 (Public Law 104–106; 10
 10 U.S.C. 2805 note), as amended by section 2891 of the
 11 Ronald W. Reagan National Defense Authorization Act
 12 for Fiscal Year 2005 (Public Law 108–375; 118 Stat.
 13 2154), is further amended by striking “September 30,
 14 2005” and inserting “September 30, 2006”.

15 **SEC. 2886. SENSE OF CONGRESS ON ESTABLISHMENT OF**
 16 **BAKERS CREEK MEMORIAL.**

17 (a) FINDINGS.—Congress makes the following find-
 18 ings:

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

23 (2) On June 14, 1943, a Boeing B–17C was
 24 transporting 6 crew members and 35 servicemen
 25 from Mackay to Port Moresby, New Guinea, to re-

1 turn the servicemen to duty after 10 days of rest
2 and relaxation leave at an Army/Red Cross facility.

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

9 (4) Due to wartime censorship rules related to
10 the movement of troops, the tragic crash and loss of
11 life were not reported to the Australian or United
12 States public.

13 (5) Many family members of those killed did
14 not learn the circumstances of the troops deaths
15 until they were contacted by the Bakers Creek Me-
16 morial Foundation beginning in 1992.

17 (6) As of May 2005, the Bakers Creek Memo-
18 rial Foundation had contacted 36 of the 40 families
19 that lost loved ones in the tragic crash, and was con-
20 tinuing efforts to locate the remaining four families
21 to inform them of the true events of the crash at
22 Bakers Creek.

23 (7) The Australian people marked the tragic
24 crash at Bakers Creek with a memorial established

1 in 1992, but no similar memorial has been estab-
2 lished in the United States.

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

A BILL

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

MAY 17, 2005

Read twice and placed on the calendar