

110TH CONGRESS
2D SESSION

S. 3003

AN ACT

To authorize appropriations for fiscal year 2009 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,*

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Military Construction
3 Authorization Act for Fiscal Year 2009”.

4 SEC. 2. TABLE OF CONTENTS.

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

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

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

- Sec. 2001. Short title.
- Sec. 2002. Expiration of authorizations and amounts required to be specified
by law.
- Sec. 2003. Effective date.

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. Extension of authorizations of certain fiscal year 2005 projects.
- Sec. 2106. Extension of authorization of certain fiscal year 2006 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.
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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.
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- Sec. 2401. Authorized Defense Agencies construction and land acquisition
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Subtitle B—Chemical Demilitarization Authorizations

- Sec. 2411. Authorized chemical demilitarization program construction and land acquisition projects.
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- Sec. 2501. Authorized NATO construction and land acquisition projects.
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TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

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- Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
- Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
- Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
- Sec. 2606. Authorization of appropriations, Guard and Reserve.
- Sec. 2607. Extension of authorizations of certain fiscal year 2006 projects.
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TITLE XXVII—BASE CLOSURE AND REALIGNMENT ACTIVITIES

- Sec. 2701. Authorization of appropriations for base closure and realignment activities funded through Department of Defense Base Closure Account 1990.
- Sec. 2702. Authorized base closure and realignment activities funded through Department of Defense Base Closure Account 2005.
- Sec. 2703. Authorization of appropriations for base closure and realignment activities funded through Department of Defense Base Closure Account 2005.
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TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

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- Sec. 2802. Authority to use operation and maintenance funds for construction projects outside the United States.
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TITLE XXIX—WAR-RELATED MILITARY CONSTRUCTION
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- Sec. 2901. Authorized Army construction and land acquisition projects.
- Sec. 2902. Authorized Navy construction and land acquisition projects.
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- Sec. 2904. Termination of authority to carry out fiscal year 2008 Army projects.

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- Sec. 2911. Authorized Army construction and land acquisition projects.
- Sec. 2912. Authorized Navy construction and land acquisition projects.
- Sec. 2913. Limitation on availability of funds for certain purposes relating to Iraq.

1 **SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.**

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

5 **DIVISION B—MILITARY CON-**
6 **STRUCTION AUTHORIZA-**
7 **TIONS**

8 **SEC. 2001. SHORT TITLE.**

9 This division may be cited as the “Military Construc-
10 tion Authorization Act for Fiscal Year 2009”.

11 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**
12 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
13 **LAW.**

14 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE
15 YEARS.—Except as provided in subsection (b), all author-
16 izations contained in titles XXI through XXVI and title
17 XXIX for military construction projects, land acquisition,
18 family housing projects and facilities, and contributions to
19 the North Atlantic Treaty Organization Security Invest-
20 ment Program (and authorizations of appropriations
21 therefor) shall expire on the later of—

22 (1) October 1, 2011; or

23 (2) the date of the enactment of an Act author-
24 izing funds for military construction for fiscal year
25 2012.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2011; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2012 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

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

(1) October 1, 2008; or

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

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

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

Army: Inside the United States

State	Installation or Location	Amount
Alabama	Anniston Army Depot	\$45,000,000
	Redstone Arsenal	\$16,500,000
Alaska	Fort Richardson	\$18,100,000
	Fort Wainright	\$110,400,000
Arizona	Fort Huachuca	\$11,200,000
	Yuma Proving Ground	\$3,800,000
California	Fort Irwin	\$39,600,000
	Presidio, Monterey	\$15,000,000
	Sierra Army Depot	\$12,400,000
Colorado	Fort Carson	\$534,000,000
Georgia	Fort Benning	\$267,800,000
	Fort Stewart/Hunter Army Air Field	\$432,300,000
Hawaii	Pohakuloa Training Area	\$21,300,000
	Schofield Barracks	\$279,000,000
	Wahiawa	\$40,000,000
Indiana	Crane Army Ammunition Activity	\$8,300,000
Kansas	Fort Riley	\$132,000,000
Kentucky	Fort Campbell	\$118,113,000
Louisiana	Fort Polk	\$29,000,000
Michigan	Detroit Arsenal	\$6,100,000
Missouri	Fort Leonard Wood	\$31,650,000
New York	Fort Drum	\$90,000,000
	United States Military Academy, West Point.	\$67,000,000
North Carolina	Fort Bragg	\$36,900,000
Oklahoma	Fort Sill	\$63,000,000
Pennsylvania	Carlisle Barracks	\$13,400,000
	Letterkenny Army Depot	\$7,500,000
	Tobyhanna Army Depot	\$15,000,000
South Carolina	Fort Jackson	\$30,000,000
Texas	Corpus Christi Storage Complex	\$39,000,000
	Fort Bliss	\$1,031,800,000
	Fort Hood	\$32,000,000
	Fort Sam Houston	\$96,000,000
	Red River Army Depot	\$6,900,000
Virginia	Fort Belvoir	\$7,200,000
	Fort Eustis	\$28,000,000
	Fort Lee	\$100,600,000
	Fort Myer	\$14,000,000
Washington	Fort Lewis	\$158,000,000

5 (b) OUTSIDE THE UNITED STATES.—Using amounts
6 appropriated pursuant to the authorization of appropria-
7 tions in section 2104(a)(2), the Secretary of the Army
8 may acquire real property and carry out military construc-

tion 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
Afghanistan	Bagram Air Base	\$67,000,000
Germany	Katterbach	\$19,000,000
	Wiesbaden Air Base	\$119,000,000
Japan	Camp Zama	\$2,350,000
	Sagamihara	\$17,500,000
Korea	Camp Humphreys	\$20,000,000

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, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

Country	Installation or Location	Units	Amount
Germany	Wiesbaden Air Base	326	\$133,000,000
Korea	Camp Humphreys	216	\$125,000,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$579,000.

1 **SEC. 2103. 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 2104(a)(5)(A),
6 the Secretary of the Army may improve existing military
7 family housing units in an amount not to exceed
8 \$420,001,000.

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

10 (a) IN GENERAL.—Funds are hereby authorized to
11 be appropriated for fiscal years beginning after September
12 30, 2008, for military construction, land acquisition, and
13 military family housing functions of the Department of the
14 Army in the total amount of \$6,042,210,000 as follows:

15 (1) For military construction projects inside the
16 United States authorized by section 2101(a),
17 \$4,007,863,000.

18 (2) For military construction projects outside
19 the United States authorized by section 2101(b),
20 \$202,250,000.

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

24 (4) For host nation support and architectural
25 and engineering services and construction design

1 under section 2807 of title 10, United States Code,
2 \$200,807,000.

3 (5) For military family housing functions:

4 (A) For construction and acquisition, plan-
5 ning and design, and improvement of military
6 family housing and facilities, \$678,580,000.

7 (B) For support of military family housing
8 (including the functions described in section
9 2833 of title 10, United States Code),
10 \$716,110,000.

11 (6) For the construction of increment 3 of a
12 barracks complex at Fort Lewis, Washington, au-
13 thorized by section 2101(a) of the Military Construc-
14 tion Authorization Act for Fiscal Year 2007 (divi-
15 sion B of Public Law 109–364; 120 Stat. 2445), as
16 amended by section 20814 of the Continuing Appro-
17 priations Resolution, 2007 (division B of Public Law
18 109–289), as added by section 2 of the Revised Con-
19 tinuing Resolution, 2007 (Public Law 110–5; 121
20 Stat. 41), \$102,000,000.

21 (7) For the construction of increment 2 of the
22 SOUTHCOM Headquarters at Miami Doral, Flor-
23 ida, authorized by section 2101(a) of the Military
24 Construction Authorization Act for Fiscal Year 2008

1 (division B of Public Law 110–181; 122 Stat. 504),
2 \$81,600,000.

3 (8) For the construction of increment 2 of the
4 BDE Complex-Barracks/Community at Vicenza,
5 Italy, authorized by section 2101(b) of the Military
6 Construction Authorization Act for Fiscal Year 2008
7 (division B of Public Law 110–181; 122 Stat. 505),
8 \$15,000,000.

9 (9) For the construction of increment 2 of the
10 BDE Complex-Operations Support Facility, at
11 Vicenza, Italy, authorized by section 2101(b) of the
12 Military Construction Authorization Act for Fiscal
13 Year 2008 (division B of Public Law 110–181; 122
14 Stat. 505), \$15,000,000.

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) and (2) of subsection
23 (a).

24 (2) \$42,600,000 (the balance of the amount au-
25 thorized under section 2101(b) for construction of a

1 command and battle center at Wiesbaden, Ger-
 2 many).

3 **SEC. 2105. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
 4 **FISCAL YEAR 2005 PROJECTS.**

5 (a) EXTENSION.—Notwithstanding section 2701 of
 6 the Military Construction Authorization Act for Fiscal
 7 Year 2005 (division B of Public Law 108–375; 118 Stat.
 8 2116), the authorizations set forth in the table in sub-
 9 section (b), as provided in sections 2101 of that Act (118
 10 Stat. 2101), shall remain in effect until October 1, 2009,
 11 or the date of the enactment of an Act authorizing funds
 12 for military construction for fiscal year 2010, whichever
 13 is later.

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

Army: Extension of 2006 Project Authorizations

State	Installation or Location	Project	Amount
Hawaii	Pohakuloa	Tactical Vehicle Wash Facility ..	\$9,207,000
		Battle Area Complex	\$33,660,000
Virginia	Fort Belvoir	Defense Access Road	\$18,000,000

16 **SEC. 2106. EXTENSION OF AUTHORIZATION OF CERTAIN**
 17 **FISCAL YEAR 2006 PROJECT.**

18 (a) EXTENSION.—Notwithstanding section 2701 of
 19 the Military Construction Authorization Act for Fiscal
 20 Year 2006 (division B of Public Law 109–163; 119 Stat.
 21 3501), the authorization set forth in the table in sub-
 22 section (b), as provided in section 2101 of that Act (119

1 Stat. 3485), shall remain in effect until October 1, 2009,
 2 or the date of the enactment of an Act authorizing funds
 3 for military construction for fiscal year 2010, whichever
 4 is later.

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

Army: Extension of 2005 Project Authorization

State	Installation or Location	Project	Amount
Hawaii	Schofield Barracks.	Combined Arms Collective Training Facility.	\$32,542,000

TITLE XXII—NAVY

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND

ACQUISITION PROJECTS.

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

Inside the United States

State	Installation or Location	Amount
Arizona	Marine Corps Air Station, Yuma	\$19,490,000
California	Marine Corps Base, Camp Pendleton	\$799,870,000
	Marine Corps Logistics Base, Barstow	\$7,830,000
	Marine Corps Air Station, Miramar	\$48,770,000
	Naval Air Facility, El Centro	\$8,900,000
	Naval Facility, San Clemente Island	\$34,020,000
	Naval Air Station, North Island	\$53,262,000
	Marine Corps Recruit Depot, San Diego ...	\$51,200,000
	Marine Corps Base, Twentynine Palms	\$145,550,000
Connecticut	Naval Submarine Base, Groton	\$46,060,000
	Submarine Base, New London	\$11,000,000
District of Columbia	Naval Support Activity, Washington	\$24,220,000

Inside the United States—Continued

State	Installation or Location	Amount
Florida	Naval Air Station, Jacksonville	\$12,890,000
	Naval Station, Mayport	\$14,900,000
	Naval Support Activity, Tampa	\$29,000,000
Georgia	Marine Corps Logistics Base, Albany	\$15,320,000
Hawaii	Marine Corps Base, Kaneohe	\$28,200,000
	Pacific Missile Range, Barking Sands	\$28,900,000
	Naval Station, Pearl Harbor	\$80,290,000
Illinois	Recruit Training Command, Great Lakes ..	\$62,940,000
Maine	Portsmouth Naval Shipyard	\$20,660,000
Maryland	Naval Surface Warfare Center, Indian Head.	\$25,980,000
Mississippi	Naval Air Station, Meridian	\$6,340,000
	Naval Construction Battalion Center, Gulfport.	\$12,770,000
New Jersey	Naval Air Warfare Center, Lakehurst	\$15,440,000
	Naval Weapons Station, Earle	\$8,160,000
North Carolina	Marine Corps Air Station, Cherry Point	\$77,420,000
	Marine Corps Air Station, New River	\$86,280,000
	Marine Corps Base, Camp Lejeune	\$353,090,000
Pennsylvania	Naval Support Activity, Philadelphia	\$22,020,000
Rhode Island	Naval Station, Newport	\$29,900,000
South Carolina	Marine Corps Air Station, Beaufort	\$5,940,000
	Marine Corps Recruit Depot, Parris Island	\$64,750,000
Virginia	Marine Corps Base, Quantico	\$150,290,000
	Naval Station, Norfolk	\$53,330,000

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

Navy: Outside the United States

Country	Installation or Location	Amount
Cuba	Naval Air Station, Guantanamo Bay	\$20,600,000
Diego Garcia	Diego Garcia	\$35,060,000
Djibouti	Camp Lemonier	\$18,580,000
Guam	Naval Activities, Guam	\$88,430,000

8 (c) UNSPECIFIED WORLDWIDE.—Using the amounts
9 appropriated pursuant to the authorization of appropria-
10 tions in section 2204(a)(3), the Secretary of the Navy may

1 acquire real property and carry out military construction
 2 projects for unspecified installations or locations in the
 3 amounts set forth in the following table:

Navy: Unspecified Worldwide

Location	Installation or Location	Amount
Worldwide Unspecified	Unspecified Worldwide	\$66,020,000

4 **SEC. 2202. FAMILY HOUSING.**

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

Navy: Family Housing

Location	Installation or Location	Units	Amount
Cuba	Naval Air Station, Guantanamo Bay	146	\$62,598,000

12 (b) PLANNING AND DESIGN.—Using amounts appro-
 13 priated pursuant to the authorization of appropriations in
 14 section 2204(a)(6)(A), the Secretary of the Navy may
 15 carry out architectural and engineering services and con-
 16 struction design activities with respect to the construction
 17 or improvement of family housing units in an amount not
 18 to exceed \$2,169,000.

1 **SEC. 2203. 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 2204(a)(6)(A),
6 the Secretary of the Navy may improve existing military
7 family housing units in an amount not to exceed
8 \$318,011,000.

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

10 Funds are hereby authorized to be appropriated for
11 fiscal years beginning after September 30, 2008, for mili-
12 tary construction, land acquisition, and military family
13 housing functions of the Department of the Navy in the
14 total amount of \$3,884,469,000, as follows:

15 (1) For military construction projects inside the
16 United States authorized by section 2201(a),
17 \$2,455,002,000.

18 (2) For military construction projects outside
19 the United States authorized by section 2201(b),
20 \$162,670,000.

21 (3) For military construction projects at un-
22 specified worldwide locations authorized by section
23 2201(c), \$66,020,000.

24 (4) For unspecified minor military construction
25 projects authorized by section 2805 of title 10,
26 United States Code, \$13,670,000.

1 (5) For architectural and engineering services
2 and construction design under section 2807 of title
3 10, United States Code, \$239,128,000.

4 (6) For military family housing functions:

5 (A) For construction and acquisition, plan-
6 ning and design, and improvement of military
7 family housing and facilities, \$382,778,000.

8 (B) For support of military family housing
9 (including functions described in section 2833
10 of title 10, United States Code), \$376,062,000.

11 (7) For the construction of increment 2 of kilo
12 wharf extension at Naval Forces Marianas Islands,
13 Guam, authorized by section 2201(b) of the Military
14 Construction Authorization Act for Fiscal Year 2008
15 (division B of Public Law 110–181; 122 Stat. 510),
16 \$50,912,000.

17 (8) For the construction of increment 2 of the
18 sub drive-in magnetic silencing facility at Naval Sub-
19 marine Base, Pearl Harbor, Hawaii, authorized in
20 section 2201(a) of the Military Construction Author-
21 ization Act for Fiscal Year 2008 (division B of Pub-
22 lic Law 110–181; 122 Stat. 510), \$41,088,000.

23 (9) For the construction of increment 3 of the
24 National Maritime Intelligence Center, Suitland,
25 Maryland, authorized by section 2201(a) of the Mili-

1 tary Construction Authorization Act for Fiscal Year
2 2007 (division B of Public Law 109–364; 120 Stat.
3 2448), \$12,439,000.

4 (10) For the construction of increment 2 of
5 hangar 5 recapitalizations at Naval Air Station,
6 Whidbey Island, Washington, authorized by section
7 2201(a) of the Military Construction Authorization
8 Act of Fiscal Year 2007 (division B of Public Law
9 109–364; 120 Stat. 2448), \$34,000,000.

10 (11) For the construction of increment 5 of the
11 limited area production and storage complex at
12 Naval Submarine Base, Kitsap, Bangor, Washington
13 (formerly referred to as a project at the Strategic
14 Weapons Facility Pacific, Bangor), authorized by
15 section 2201(a) of the Military Construction Author-
16 ization Act of Fiscal Year 2005 (division B of Public
17 Law 108–375; 118 Stat. 2106), as amended by sec-
18 tion 2206 of the Military Construction Authorization
19 Act for Fiscal Year 2006 (division B of Public Law
20 109–163; 119 Stat. 3493) and section 2206 of the
21 Military Construction Authorization Act for Fiscal
22 Year 2008 (division B of Public Law 110–181; 122
23 Stat. 514) \$50,700,000.

1 **SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **CERTAIN FISCAL YEAR 2005 PROJECT INSIDE**
3 **THE UNITED STATES.**

4 The table in section 2201(a) of the Military Construc-
5 tion Authorization Act for Fiscal Year 2005 (division B
6 of Public Law 108–375; 118 Stat. 2105), as amended by
7 section 2206 of the Military Construction Authorization
8 Act for Fiscal Year 2006 (division B of Public Law 109–
9 163; 119 Stat. 3493) and section 2206 of the Military
10 Construction Authorization Act for Fiscal Year 2008 (di-
11 vision B of Public Law 110–181; 122 Stat. 514), is fur-
12 ther amended—

13 (1) in the item relating to Strategic Weapons
14 Facility Pacific, Bangor, Washington, by striking
15 “\$295,000,000” in the amount column and inserting
16 “\$311,670,000”; and

17 (2) by striking the amount identified as the
18 total in the amount column and inserting
19 “\$1,084,497,000”.

20 **SEC. 2206. MODIFICATION OF AUTHORITY TO CARRY OUT**
21 **CERTAIN FISCAL YEAR 2007 PROJECTS IN-**
22 **SIDE THE UNITED STATES.**

23 (a) MODIFICATIONS.—The table in section 2201(a)
24 of the Military Construction Authorization Act for Fiscal
25 Year 2007 (division B of Public Law 109–364; 120 Stat.
26 2448), as amended by section 2205(a)(17) of the Military

1 Construction Authorization Act for Fiscal Year 2008 (di-
 2 vision B of Public Law 110–181; 122 Stat. 513) is amend-
 3 ed—

4 (1) in the item relating to NMIC/Naval Support
 5 Activity, Suitland, Maryland, by striking
 6 “\$67,939,000” in the amount column and inserting
 7 “\$76,288,000”; and

8 (2) in the item relating to Naval Air Station,
 9 Whidbey Island, Washington, by striking
 10 “\$57,653,000” in the amount column and inserting
 11 “\$60,500,000”.

12 (b) CONFORMING AMENDMENTS.—Section 2204(b)
 13 of the Military Construction Authorization Act for Fiscal
 14 Year 2007 (division B of Public Law 109–364; 120 Stat.
 15 2452), is amended—

16 (1) in paragraph (2), by striking
 17 “\$56,159,000” and inserting “\$64,508,000”; and

18 (2) in paragraph (3), by striking
 19 “\$31,153,000” and inserting “\$34,000,000”.

20 **TITLE XXIII—AIR FORCE**

21 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND** 22 **LAND ACQUISITION PROJECTS.**

23 (a) INSIDE THE UNITED STATES.—Using amounts
 24 appropriated pursuant to the authorization of appropria-
 25 tions in section 2304(1), the Secretary of the Air Force

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

Air Force: Inside the United States

State	Installation or Location	Amount
Alabama	Maxwell Air Force Base	\$15,556,000
Alaska	Elmendorf Air Force Base	\$138,300,000
Arizona	Davis Monthan Air Force Base	\$15,000,000
California	Edwards Air Force Base	\$3,100,000
	Travis Air Force Base	\$12,100,000
Colorado	Peterson Air Force Base	\$4,900,000
	United States Air Force Academy	\$18,000,000
Delaware	Dover Air Force Base	\$19,000,000
Florida	Cape Canaveral Air Station	\$8,000,000
	Eglin Air Force Base	\$19,000,000
	MacDill Air Force Base	\$21,000,000
Georgia	Robins Air Force Base	\$24,100,000
Hawaii	Hickam Air Force Base	\$8,700,000
Louisiana	Barksdale Air Force Base	\$14,600,000
Maryland	Andrews Air Force Base	\$77,648,000
Mississippi	Columbus Air Force Base	\$8,100,000
	Keesler Air Force Base	\$6,600,000
Montana	Malmstrom Air Force Base	\$10,000,000
Nebraska	Offutt Air Force Base	\$11,800,000
Nevada	Creech Air Force Base	\$48,500,000
	Nellis Air Force Base	\$63,100,000
New Mexico	Holloman Air Force Base	\$25,450,000
North Carolina	Seymour Johnson Air Force Base	\$12,200,000
North Dakota	Grand Forks Air Force Base	\$13,000,000
Oklahoma	Altus Air Force Base	\$10,200,000
	Tinker Air Force Base	\$48,600,000
South Carolina	Charleston Air Force Base	\$4,500,000
	Shaw Air Force Base	\$9,900,000
South Dakota	Ellsworth Air Force Base	\$11,000,000
Texas	Dyess Air Force Base	\$21,000,000
	Fort Hood	\$10,800,000
	Lackland Air Force Base	\$75,515,000
Utah	Hill Air Force Base	\$41,400,000
Washington	McChord Air Force Base	\$5,500,000
Wyoming	Francis E. Warren Air Force Base.	\$8,600,000

5 (b) OUTSIDE THE UNITED STATES.—Using amounts
6 appropriated pursuant to the authorization of appropria-
7 tions in section 2304(2), the Secretary of the Air Force
8 may acquire real property and carry out military construc-
9 tion projects for the installations or locations outside the

1 United States, and in the amounts, set forth in the fol-
 2 lowing table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Afghanistan	Bagram Airfield	\$57,200,000
Guam	Andersen Air Force Base	\$5,200,000
Kyrgyzstan	Manas Air Base	\$6,000,000
United Kingdom	Royal Air Force Lakenheath	\$7,400,000

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

Air Force: Unspecified Worldwide

Location	Installation or Location	Amount
Worldwide Classified	Classified Location	\$891,000
Worldwide Unspecified	Unspecified Worldwide Locations	\$52,500,000

9 **SEC. 2302. FAMILY HOUSING.**

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

Air Force: Family Housing

Location	Installation or Location	Purpose	Amount
United Kingdom	Royal Air Force Lakenheath	182 Units	\$71,828,000

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 family housing units in an amount not
7 to exceed \$7,708,000.

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 \$316,343,000.

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, 2008, 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 \$2,057,408,000, as follows:

23 (1) For military construction projects inside the
24 United States authorized by section 2301(a),
25 \$844,769,000.

1 (2) For military construction projects outside
2 the United States authorized by section 2301(b),
3 \$75,800,000.

4 (3) For the military construction projects at
5 unspecified worldwide locations authorized by section
6 2301(c), \$53,391,000.

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

10 (5) For architectural and engineering services
11 and construction design under section 2807 of title
12 10, United States Code, \$73,104,000.

13 (6) For military family housing functions:

14 (A) For construction and acquisition, plan-
15 ning and design, and improvement of military
16 family housing and facilities, \$395,879,000.

17 (B) For support of military family housing
18 (including functions described in section 2833
19 of title 10, United States Code), \$599,465,000.

20 **SEC. 2305. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
21 **FISCAL YEAR 2006 PROJECTS.**

22 (a) EXTENSION.—Notwithstanding section 2701 of
23 the Military Construction Authorization Act for Fiscal
24 Year 2006 (division B of Public Law 109–163; 119 Stat.
25 3501), authorizations set forth in the tables in subsection

(b), as provided in section 2302 of that Act, shall remain in effect until October 1, 2009, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2010, whichever is later.

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

Air Force: Extension of 2006 Project Authorizations

State	Installation or Location	Project	Amount
Alaska	Eielson Air Force Base ...	Replace Family Housing (92 units)	\$37,650,000
		Purchase Build/Lease Housing (300 units)	\$18,144,000
California	Edwards Air Force Base	Replace Family Housing (226 units)	\$59,699,000
Florida	MacDill Air Force Base ..	Replace Family Housing (109 units)	\$40,982,000
Missouri	Whiteman Air Force Base	Replace Family Housing (111 units)	\$26,917,000
North Carolina	Seymour Johnson Air Force Base	Replace Family Housing (255 units)	\$48,868,000
North Dakota ...	Grand Forks Air Force Base	Replace Family Housing (150 units)	\$43,353,000

SEC. 2306. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2005 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2116), authorizations set forth in the table in subsection (b), as provided in sections 2301 and 2302 of that Act, shall remain in effect until October 1, 2009, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2010, whichever is later.

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

Air Force: Extension of 2005 Project Authorizations

State/Country	Installation or Location	Project	Amount
Arizona	Davis-Monthan Air Force Base	Replace Family Housing (250 units)	\$48,500,000
California	Vandenberg Air Force Base	Replace Family Housing (120 units)	\$30,906,000
Florida	MacDill Air Force Base	Construct Housing Maintenance Facility	\$1,250,000
Missouri	Whiteman Air Force Base	Replace Family Housing (160 units)	\$37,087,000
North Carolina	Seymour Johnson Air Force Base ..	Replace Family Housing (167 units)	\$32,693,000
Germany	Ramstein Air Base	USAFE Theater Aerospace Operations Support Center	\$24,204,000

TITLE XXIV—DEFENSE

AGENCIES

Subtitle A—Defense Agency

Authorizations

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 tables:

Defense Education Activity

State	Installation or Location	Amount
Kentucky	Fort Campbell	\$21,400,000
North Carolina	Fort Bragg	\$78,471,000

Defense Intelligence Agency

State	Installation or Location	Amount
Illinois	Scott Air Force Base	\$13,977,000

Defense Logistics Agency

State	Installation or Location	Amount
California	Defense Distribution Depot, Tracy	\$50,300,000
Delaware	Defense Fuel Supply Center, Dover Air Force Base.	\$3,373,000
Florida	Defense Fuel Support Point, Jacksonville	\$34,000,000
Georgia	Hunter Army Air Field	\$3,500,000
Hawaii	Pearl Harbor	\$27,700,000
New Mexico	Kirtland Air Force Base	\$14,400,000
Oklahoma	Altus Air Force Base	\$2,850,000
Pennsylvania	Philadelphia	\$1,200,000
Utah	Hill Air Force Base	\$20,400,000
Virginia	Craney Island	\$39,900,000

National Security Agency

State	Installation or Location	Amount
Maryland	Fort Meade	\$31,000,000

Special Operations Command

State	Installation or Location	Amount
California	Naval Amphibious Base, Coronado	\$9,800,000
Florida	Eglin Air Force Base	\$40,000,000
	Hurlburt Field	\$8,900,000
	MacDill Air Force Base	\$10,500,000
Kentucky	Fort Campbell	\$15,000,000
New Mexico	Cannon Air Force Base	\$26,400,000
North Carolina	Fort Bragg	\$38,250,000
Virginia	Fort Story	\$11,600,000
Washington	Fort Lewis	\$38,000,000

TRICARE Management Activity

State	Installation or Location	Amount
Alaska	Fort Richardson	\$6,300,000
Colorado	Buckley Air Force Base	\$3,000,000
Georgia	Fort Benning	\$3,900,000
Kansas	Fort Riley	\$52,000,000
Kentucky	Fort Campbell	\$24,000,000
Maryland	Aberdeen Proving Ground	\$430,000,000
Missouri	Fort Leonard Wood	\$22,000,000
Oklahoma	Tinker Air Force Base	\$65,000,000
Texas	Fort Sam Houston	\$13,000,000

Washington Headquarters Services

State	Installation or Location	Amount
Virginia	Pentagon Reservation	\$38,940,000

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 tables:

Defense Logistics Agency

Country	Installation or Location	Amount
Germany	Germersheim	\$48,000,000
Greece	Souda Bay	\$27,761,000

Special Operations Command

Country	Installation or Location	Amount
Qatar	Al Udeid	\$9,200,000

TRICARE Management Activity

Country	Installation or Location	Amount
Guam	Naval Activities	\$30,000,000

Missile Defense Agency

Country	Installation or Location	Amount
Poland	Various Locations	\$661,380,000
Czech Republic	Various Locations	\$176,100,000

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

9 Using amounts appropriated pursuant to the author-
10 ization of appropriations in section 2403(a)(6), the Sec-
11 retary of Defense may carry out energy conservation

1 projects under chapter 173 of title 10, United States
2 Code, in the amount of \$80,000,000.

3 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DE-**
4 **FENSE AGENCIES.**

5 (a) IN GENERAL.—Funds are hereby authorized to
6 be appropriated for fiscal years beginning after September
7 30, 2008, for military construction, land acquisition, and
8 military family housing functions of the Department of
9 Defense (other than the military departments) in the total
10 amount of \$1,821,379,000, as follows:

11 (1) For military construction projects inside the
12 United States authorized by section 2401(a),
13 \$792,811,000.

14 (2) For military construction projects outside
15 the United States authorized by section 2401(b),
16 \$356,121,000.

17 (3) For unspecified minor military construction
18 projects under section 2805 of title 10, United
19 States Code, \$31,853,000.

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

23 (5) For architectural and engineering services
24 and construction design under section 2807 of title
25 10, United States Code, \$155,793,000.

1 (6) For energy conservation projects authorized
2 by section 2402 of this Act, \$80,000,000.

3 (7) For support of military family housing, in-
4 cluding functions described in section 2833 of title
5 10, United States Code, and credits to the Depart-
6 ment of Defense Family Housing Improvement
7 Fund under section 2883 of title 10, United States
8 Code, and the Homeowners Assistance Fund estab-
9 lished under section 1013 of the Demonstration Cit-
10 ies and Metropolitan Development Act of 1966 (42
11 U.S.C. 3374), \$54,581,000.

12 (8) For the construction of increment 4 of the
13 National Security Agency regional security oper-
14 ations center at Augusta, Georgia, authorized by
15 section 2401(a) of the Military Construction Author-
16 ization Act of Fiscal Year 2006 (division B of Public
17 Law 109–163; 119 Stat. 3497), as amended by sec-
18 tion 7016 of the Emergency Supplemental Appro-
19 priation Act for Defense, Global War on Terrorism
20 and Hurricane Relief (Public Law 109–234; 120
21 Stat. 485), \$100,220,000.

22 (9) For the construction of increment 2 of the
23 Army Medical Research Institute of Infectious Dis-
24 eases Stage 1 at Fort Detrick, Maryland, authorized
25 by section 2401(a) of the Military Construction Au-

1 thorization Act of Fiscal Year 2007 (division B of
2 Public Law 109–364; 120 Stat. 2457),
3 \$209,000,000.

4 (10) For the construction of increment 2 of the
5 SOF Operational Facility at Dam Neck, Virginia,
6 authorized by section 2401(a) of the Military Con-
7 struction Authorization Act of Fiscal Year 2008 (di-
8 vision B of Public Law 110–181; 122 Stat. 521),
9 \$31,000,000.

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

16 (1) The total amount authorized to be appro-
17 priated under paragraphs (1) and (2) of subsection
18 (a).

19 (2) \$528,780,000 (the balance of the amount
20 authorized for the Missile Defense Agency under
21 section 2401(b) for the European interceptor site in
22 Poland.

23 (3) \$67,540,000 (the balance of the amount au-
24 thorized for the Missile Defense Agency under sec-

1 tion 2401(b) for the European midcourse radar site
2 in the Czech Republic.

3 (c) LIMITATION ON EUROPEAN MISSILE DEFENSE
4 CONSTRUCTION PROJECTS.—Funds appropriated pursu-
5 ant to the authorization of appropriations in subsection
6 (a)(2) for the projects authorized for the Missile Defense
7 Agency under section 2401(b) may only be obligated or
8 expended in accordance with the conditions specified in
9 section 232 of this Act.

10 **SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT**
11 **CERTAIN FISCAL YEAR 2007 PROJECT.**

12 (a) MODIFICATION.—The table relating to TRICARE
13 Management Activity in section 2401(a) of the Military
14 Construction Authorization Act for Fiscal Year 2007 (di-
15 vision B of Public Law 109–364; 120 Stat. 2457), is
16 amended in the item relating to Fort Detrick, Maryland,
17 by striking “\$550,000,000” in the amount column and in-
18 serting “\$683,000,000”.

19 (b) CONFORMING AMENDMENT.—Section 2405(b)(3)
20 of the Military Construction Authorization Act of Fiscal
21 Year 2007 (division B of Public Law 109–364; 120 Stat.
22 2461) is amended by striking “\$521,000,000” and insert-
23 ing “\$654,000,000”.

1 **SEC. 2405. EXTENSION OF AUTHORIZATION OF CERTAIN**
 2 **FISCAL YEAR 2006 PROJECT.**

3 (a) EXTENSION.—Notwithstanding section 2701 of
 4 the Military Construction Authorization Act for Fiscal
 5 Year 2006 (division B of Public Law 109–163; 119 Stat.
 6 3501), authorizations set forth in the tables in subsection
 7 (b), as provided in section 2401 of that Act, shall remain
 8 in effect until October 1, 2009, or the date of the enact-
 9 ment of an Act authorizing funds for military construction
 10 for fiscal year 2010, whichever is later.

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

**Defense Logistics Agency: Extension of 2006 Project
 Authorization**

Installation or Location	Project	Amount
Defense Logistics Agency ...	Defense Distribution Depot Susque- hanna, New Cumberland, Pennsyl- vania.	\$6,500,000

13 **Subtitle B—Chemical**
 14 **Demilitarization Authorizations**

15 **SEC. 2411. AUTHORIZED CHEMICAL DEMILITARIZATION**
 16 **PROGRAM CONSTRUCTION AND LAND ACQUI-**
 17 **SITION PROJECTS.**

18 Using amounts appropriated pursuant to the author-
 19 ization of appropriations in section 2412(1), the Secretary
 20 of Defense may acquire real property and carry out mili-
 21 tary construction projects for the installations or locations

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

Chemical Demilitarization Program: Inside the United States

Army	Installation or Location	Amount
Army	Blue Grass Army Depot, Kentucky	\$12,000,000

3 **SEC. 2412. AUTHORIZATION OF APPROPRIATIONS, CHEM-**
 4 **ICAL DEMILITARIZATION CONSTRUCTION,**
 5 **DEFENSE-WIDE.**

6 Funds are hereby authorized to be appropriated for
 7 fiscal years beginning after September 30, 2008, for mili-
 8 tary construction and land acquisition for chemical demili-
 9 tarization in the total amount of \$134,278,000, as follows:

10 (1) For military construction projects inside the
 11 United States authorized by section 2411(a),
 12 \$12,000,000.

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

1 of Public Law 107–314; 116 Stat. 2698),
2 \$65,060,000.

3 (3) For the construction of phase 9 of a muni-
4 tions demilitarization facility at Blue Grass Army
5 Depot, Kentucky, authorized by section 2401(a) of
6 the Military Construction Authorization Act for Fis-
7 cal Year 2000 (division B of Public Law 106–65;
8 113 Stat. 835), as amended by section 2405 of the
9 Military Construction Authorization Act for Fiscal
10 Year 2002 (division B of Public Law 107–107; 115
11 Stat. 1298) and section 2405 of the Military Con-
12 struction Authorization Act for Fiscal Year 2003
13 (division B of Public Law 107–314; 116 Stat.
14 2698), \$67,218,000.

15 **SEC. 2413. MODIFICATION OF AUTHORITY TO CARRY OUT**
16 **CERTAIN FISCAL YEAR 1997 PROJECT.**

17 (a) MODIFICATIONS.—The table in section 2401(a)
18 of the Military Construction Authorization Act for Fiscal
19 Year 1997 (division B of Public Law 104–201; 110 Stat.
20 2775), as amended by section 2406 of the Military Con-
21 struction Authorization Act for Fiscal Year 2000 (division
22 B of Public Law 106–65; 113 Stat. 839) and section 2407
23 of the Military Construction Authorization Act for Fiscal
24 Year 2003 (division B of Public Law 107–314; 116 Stat.
25 2699), is amended—

1 (1) under the agency heading relating to the
 2 Chemical Demilitarization Program, in the item re-
 3 lating to Pueblo Army Depot, Colorado, by striking
 4 “\$261,000,000” in the amount column and inserting
 5 “\$484,000,000”; and

6 (2) by striking the amount identified as the
 7 total in the amount column and inserting
 8 “\$830,454,000”.

9 (b) CONFORMING AMENDMENT.—Section 2406(b)(2)
 10 of the Military Construction Authorization Act for Fiscal
 11 Year 1997 (110 Stat. 2779), as so amended, is further
 12 amended by striking “\$261,000,000” and inserting
 13 “\$484,000,000”.

14 **SEC. 2414. MODIFICATION OF AUTHORITY TO CARRY OUT**
 15 **CERTAIN FISCAL YEAR 2000 PROJECT.**

16 (a) MODIFICATIONS.—The table in section 2401(a)
 17 of the Military Construction Authorization Act for Fiscal
 18 Year 2000 (division B of Public Law 106–65; 113 Stat.
 19 835), as amended by section 2405 of the Military Con-
 20 struction Authorization Act for Fiscal Year 2002 (division
 21 B of Public Law 107–107; 115 Stat. 1298) and section
 22 2405 of the Military Construction Authorization Act for
 23 Fiscal Year 2003 (division B of Public Law 107–314; 116
 24 Stat. 2698), is amended—

1 (1) under the agency heading relating to Chem-
2 ical Demilitarization, in the item relating to Blue
3 Grass Army Depot, Kentucky, by striking
4 “\$290,325,000” in the amount column and inserting
5 “\$492,000,000”; and

6 (2) by striking the amount identified as the
7 total in the amount column and inserting
8 “\$949,920,000”.

9 (b) CONFORMING AMENDMENT.—Section 2405(b)(3)
10 of the Military Construction Authorization Act for Fiscal
11 Year 2000 (division B of Public Law 106–65; 113 Stat.
12 839), as amended by section 2405 of the Military Con-
13 struction Authorization Act for Fiscal Year 2002 (division
14 B of Public Law 107–107; 115 Stat. 1298) and section
15 2405 of the Military Construction Authorization Act for
16 Fiscal Year 2003 (division B of Public Law 107–314; 116
17 Stat. 2698), is further amended by striking
18 “\$267,525,000” and inserting “\$469,200,000”.

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

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

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

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

16 Funds are hereby authorized to be appropriated for
17 fiscal years beginning after September 30, 2008, 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 \$240,867,000.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON- STRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the author-
ization of appropriations in section 2606(1)(A), the Sec-
retary of the Army may acquire real property and carry
out military construction projects for the Army National
Guard locations, and in the amounts, set forth in the fol-
lowing table:

Army National Guard

State	Location	Amount
Alabama	Fort McClellan	\$3,000,000
Alaska	Bethel Armory	\$16,000,000
Arizona	Camp Navajo	\$13,000,000
	Florence	\$13,800,000
	Papago Military Reservation	\$24,000,000
Colorado	Denver	\$9,000,000
	Grand Junction	\$9,000,000
Connecticut	Camp Rell	\$28,000,000
	East Haven	\$13,800,000
Delaware	New Castle	\$28,000,000
Florida	Camp Blanding	\$12,400,000
Georgia	Dobbins Air Reserve Base	\$45,000,000
Idaho	Orchard Training Area	\$1,850,000
Illinois	Urbana Armory	\$16,186,000
Indiana	Camp Atterbury	\$5,800,000
	Lawrence	\$21,000,000
Maine	Bangor	\$20,000,000
Maryland	Edgewood	\$28,000,000
	Salisbury	\$9,800,000
Massachusetts	Methuen	\$21,000,000
Michigan	Camp Grayling	\$18,943,000
Minnesota	Arden Hills	\$15,000,000
Nevada	Elko	\$11,375,000
New York	Fort Drum	\$11,000,000
	Queensbury	\$5,900,000
South Carolina	Anderson	\$12,000,000
	Beaufort	\$3,400,000
	Eastover	\$28,000,000
South Dakota	Rapid City	\$43,463,000
Utah	Camp Williams	\$17,500,000
Virginia	Arlington	\$15,500,000
	Fort Pickett	\$2,950,000
Vermont	Ethan Allen Range Jericho	\$10,200,000

Army National Guard—Continued

State	Location	Amount
Washington	Fort Lewis (Gray Army Airfield)	\$32,000,000

1 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**
2 **AND LAND ACQUISITION PROJECTS.**

3 Using amounts appropriated pursuant to the author-
4 ization of appropriations in section 2606(1)(B), the Sec-
5 retary of the Army may acquire real property and carry
6 out military construction projects for the Army Reserve
7 locations, and in the amounts, set forth in the following
8 table:

Army Reserve

State	Location	Amount
California	Fort Hunter Liggett	\$3,950,000
Hawaii	Fort Shafter	\$19,199,000
Idaho	Hayden Lake	\$9,580,000
Kansas	Dodge City	\$8,100,000
Maryland	Baltimore	\$11,600,000
Massachusetts	Fort Devens	\$1,900,000
Michigan	Saginaw	\$11,500,000
Missouri	Weldon Springs	\$11,700,000
Nevada	Las Vegas	\$33,900,000
New Jersey	Fort Dix	\$3,825,000
New York	Kingston	\$13,494,000
	Shoreham	\$15,031,000
	Staten Island	\$18,550,000
North Carolina	Raleigh	\$25,581,000
Pennsylvania	Letterkenny Army Depot	\$14,914,000
Tennessee	Chattanooga	\$10,600,000
Texas	Sinton	\$9,700,000
Washington	Seattle	\$37,500,000
Wisconsin	Fort McCoy	\$4,000,000

9 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**
10 **CORPS RESERVE CONSTRUCTION AND LAND**
11 **ACQUISITION PROJECTS.**

12 Using amounts appropriated pursuant to the author-
13 ization of appropriations in section 2606(a)(2), the Sec-

1 retary of the Navy may acquire real property and carry
 2 out military construction projects for the Navy Reserve
 3 and Marine Corps Reserve locations, and in the amounts,
 4 set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
California	Lemoore	\$15,420,000
Delaware	Wilmington	\$11,530,000
Georgia	Marietta	\$7,560,000
Virginia	Norfolk	\$8,170,000
	Williamsburg	\$12,320,000

5 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUC-**
 6 **TION AND LAND ACQUISITION PROJECTS.**

7 Using amounts appropriated pursuant to the author-
 8 ization of appropriations in section 2606(3)(A), the Sec-
 9 retary of the Air Force may acquire real property and
 10 carry out military construction projects for the Air Na-
 11 tional Guard locations, and in the amounts, set forth in
 12 the following table:

Air National Guard

State	Location	Amount
Arkansas	Little Rock Air Force Base	\$4,000,000
Colorado	Buckley Air Force Base	\$4,200,000
Delaware	New Castle County Airport	\$14,800,000
Iowa	Fort Dodge	\$5,600,000
Kansas	Smoky Hill Air National Guard Range	\$7,100,000
Massachusetts	Otis Air National Guard Base	\$14,300,000
Minnesota	Duluth 148th Fighter Wing Base	\$4,500,000
Mississippi	Gulfport-Biloxi International Airport ...	\$3,400,000
New York	Gabreski Airport, Westhampton	\$7,500,000
	Hancock Field	\$5,000,000
Rhode Island	Quonset State Airport	\$7,700,000
Tennessee	Knoxville	\$8,000,000
Vermont	Burlington International Airport	\$6,600,000
Washington	McChord Air Force Base	\$8,600,000
West Virginia	Yeager Airport, Charleston	\$27,000,000
Wisconsin	Truax Field	\$6,300,000
Wyoming	Cheyenne Municipal Airport	\$7,000,000

1 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUC-**
2 **TION AND LAND ACQUISITION PROJECTS.**

3 Using amounts appropriated pursuant to the author-
4 ization of appropriations in section 2606(3)(B), the Sec-
5 retary of the Air Force may acquire real property and
6 carry out military construction projects for the Air Force
7 Reserve locations, and in the amounts, set forth in the
8 following table:

Air Force Reserve

State	Location	Amount
Georgia	Dobbins Air Reserve Base	\$6,450,000
Oklahoma	Tinker Air Force Base	\$9,900,000

9 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, GUARD**
10 **AND RESERVE.**

11 Funds are hereby authorized to be appropriated for
12 fiscal years beginning after September 30, 2008, for the
13 costs of acquisition, architectural and engineering services,
14 and construction of facilities for the Guard and Reserve
15 Forces, and for contributions therefor, under chapter
16 1803 of title 10, United States Code (including the cost
17 of acquisition of land for those facilities), in the following
18 amounts:

- 19 (1) For the Department of the Army—
20 (A) for the Army National Guard of the
21 United States, \$634,407,000; and
22 (B) for the Army Reserve, \$281,687,000.

1 (2) For the Department of the Navy, for the
2 Navy and Marine Corps Reserve, \$57,045,000.

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

4 (A) for the Air National Guard of the
5 United States, \$156,124,000; and

6 (B) for the Air Force Reserve,
7 \$26,615,000.

8 **SEC. 2607. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
9 **FISCAL YEAR 2006 PROJECTS.**

10 (a) EXTENSION.—Notwithstanding section 2701 of
11 the Military Construction Authorization Act for Fiscal
12 Year 2006 (division B of Public Law 109–163; 119 Stat.
13 3501), the authorizations set forth in the table in sub-
14 section (b), as provided in section 2601 of that Act, shall
15 remain in effect until October 1, 2009, or the date of the
16 enactment of an Act authorizing funds for military con-
17 struction for fiscal year 2010, whichever is later.

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

Army National Guard: Extension of 2006 Project Authorizations

State	Installation or Location	Project	Amount
California	Camp Roberts	Urban Assault Course.	\$1,485,000
Idaho	Gowen Field	Railhead, Phase 1	\$8,331,000
Mississippi	Biloxi	Readiness Center	\$16,987,000
	Camp Shelby	Modified Record Fire Range.	\$2,970,000
Montana	Townsend	Automated Qualification Training Range.	\$2,532,000
Pennsylvania	Philadelphia	Stryker Brigade Combat Team Readiness Center.	\$11,806,000

**Army National Guard: Extension of 2006 Project
Authorizations—Continued**

State	Installation or Location	Project	Amount
	Philadelphia	Organizational Maintenance Shop #7.	\$6,144,930

**SEC. 2608. EXTENSION OF AUTHORIZATION OF CERTAIN
FISCAL YEAR 2005 PROJECT.**

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2116), the authorization set forth in the table in subsection (b), as provided in section 2601 of that Act, shall remain in effect until October 1, 2009, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2010, whichever is later.

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

Army National Guard: Extension of 2005 Project Authorization

State	Installation or Location	Project	Amount
California	Dublin	Readiness Center, Add/Alt (ADRS).	\$11,318,000

**SEC. 2609. MODIFICATION OF AUTHORITY TO CARRY OUT
CERTAIN FISCAL YEAR 2008 PROJECT.**

The table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 527) is amended in the item relating to North Kingstown, Rhode Island, by

1 striking “\$33,000,000” in the amount column and insert-
 2 ing “\$38,000,000”.

3 **TITLE XXVII—BASE CLOSURE** 4 **AND REALIGNMENT ACTIVITIES**

5 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR** 6 **BASE CLOSURE AND REALIGNMENT ACTIVI-** 7 **TIES FUNDED THROUGH DEPARTMENT OF** 8 **DEFENSE BASE CLOSURE ACCOUNT 1990.**

9 Funds are hereby authorized to be appropriated for
 10 fiscal years beginning after September 30, 2008, for base
 11 closure and realignment activities, including real property
 12 acquisition and military construction projects, as author-
 13 ized by the Defense Base Closure and Realignment Act
 14 of 1990 (part A of title XXIX of Public Law 101–510;
 15 10 U.S.C. 2687 note) and funded through the Department
 16 of Defense Base Closure Account 1990 established by sec-
 17 tion 2906 of such Act, in the total amount of
 18 \$393,377,000, as follows:

19 (1) For the Department of the Army,
 20 \$72,855,000.

21 (2) For the Department of the Navy,
 22 \$178,700,000.

23 (3) For the Department of the Air Force,
 24 \$139,155,000.

25 (4) For the Defense Agencies, \$2,667,000.

1 **SEC. 2702. AUTHORIZED BASE CLOSURE AND REALIGN-**
2 **MENT ACTIVITIES FUNDED THROUGH DE-**
3 **PARTMENT OF DEFENSE BASE CLOSURE AC-**
4 **COUNT 2005.**

5 Using amounts appropriated pursuant to the author-
6 ization of appropriations in section 2703, the Secretary
7 of Defense may carry out base closure and realignment
8 activities, including real property acquisition and military
9 construction projects, as authorized by the Defense Base
10 Closure and Realignment Act of 1990 (part A of title
11 XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and
12 funded through the Department of Defense Base Closure
13 Account 2005 established by section 2906A of such Act,
14 in the amount of \$6,982,334,000.

15 **SEC. 2703. AUTHORIZATION OF APPROPRIATIONS FOR**
16 **BASE CLOSURE AND REALIGNMENT ACTIVI-**
17 **TIES FUNDED THROUGH DEPARTMENT OF**
18 **DEFENSE BASE CLOSURE ACCOUNT 2005.**

19 Funds are hereby authorized to be appropriated for
20 fiscal years beginning after September 30, 2008, for base
21 closure and realignment activities, including real property
22 acquisition and military construction projects, as author-
23 ized by the Defense Base Closure and Realignment Act
24 of 1990 (part A of title XXIX of Public Law 101–510;
25 10 U.S.C. 2687 note) and funded through the Department
26 of Defense Base Closure Account 2005 established by sec-

1 tion 2906A of such Act, in the total amount of
2 \$9,065,386,000, as follows:

3 (1) For the Department of the Army,
4 \$4,486,178,000.

5 (2) For the Department of the Navy,
6 \$871,492,000.

7 (3) For the Department of the Air Force,
8 \$1,072,925,000.

9 (4) For the Defense Agencies, \$2,634,791,000.

10 **SEC. 2704. MODIFICATION OF ANNUAL BASE CLOSURE AND**
11 **REALIGNMENT REPORTING REQUIREMENTS.**

12 Section 2907 of the Defense Base Closure and Re-
13 alignment Act of 1990 (part A of title XXIX of Public
14 Law 101–510; 10 U.S.C. 2687 note) is amended—

15 (1) by striking “As part of the budget request
16 for fiscal year 2007 and for each fiscal year there-
17 after” and inserting “(a) REPORTING REQUIRE-
18 MENT.—As part of the budget request for fiscal year
19 2007 and for each fiscal year thereafter through fis-
20 cal year 2016”; and

21 (2) by adding at the end the following new sub-
22 section:

23 “(b) TERMINATION OF REPORTING REQUIREMENTS
24 RELATED TO REALIGNMENT ACTIONS.—The reporting re-
25 quirements under subsection (a) shall terminate with re-

1 spect to realignment actions after the report submitted
 2 with the budget for fiscal year 2014.”.

3 **SEC. 2705. TECHNICAL CORRECTIONS REGARDING AU-**
 4 **THORIZED COST AND SCOPE OF WORK VARI-**
 5 **ATIONS FOR MILITARY CONSTRUCTION AND**
 6 **MILITARY FAMILY HOUSING PROJECTS RE-**
 7 **LATED TO BASE CLOSURES AND REALIGN-**
 8 **MENTS.**

9 (a) CORRECTION OF CITATION IN AMENDATORY
 10 LANGUAGE.—

11 (1) IN GENERAL.—Section 2704(a) of the Mili-
 12 tary Construction Authorization Act for Fiscal Year
 13 2008 (division B of Public Law 110–181; 122 Stat.
 14 532) is amended by striking “section 2905A” both
 15 places it appears and inserting “section 2906A”.

16 (2) EFFECTIVE DATE.—The amendments made
 17 by paragraph (1) shall take effect on January 28,
 18 2008, as if included in the enactment of section
 19 2704 of the Military Construction Authorization Act
 20 for Fiscal Year 2008.

21 (b) CORRECTION OF SCOPE OR WORK VARIATION
 22 LIMITATION.—Section 2906A(f) of the Defense Base Clo-
 23 sure and Realignment Act of 1990 (part A of title XXIX
 24 of Public Law 101–510; 10 U.S.C. 2687 note), as added
 25 by section 2704(a) of the Military Construction Authoriza-

tion Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 532) and amended by subsection (a), is amended by striking “20 percent or \$2,000,000, whichever is greater” and inserting “20 percent or \$2,000,000, whichever is less”.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. INCREASE IN THRESHOLD FOR UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECTS.

Section 2805(a)(1) of title 10, United States Code, is amended by striking “\$2,000,000” in the first sentence and all that follows through the period at the end of the second sentence and inserting “\$3,000,000.”.

SEC. 2802. AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.

(a) ONE-YEAR EXTENSION OF AUTHORITY.—Subsection (a) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as amended by section 2810 of the Military Construction Authorization Act

1 for Fiscal Year 2005 (division B of Public Law 108–375;
2 118 Stat. 2128), section 2809 of the Military Construction
3 Authorization Act for Fiscal Year 2006 (division B of
4 Public Law 109–163; 119 Stat. 3508), section 2802 of
5 the Military Construction Authorization Act for Fiscal
6 Year 2007 (division B of Public Law 109–364; 120 Stat.
7 2466), and section 2801 of the Military Construction Au-
8 thorization Act for Fiscal Year 2008 (division B of Public
9 Law 110–181; 122 Stat. 538), is further amended by
10 striking “2008” and inserting “2009”.

11 (b) EXCEPTION FOR PROJECTS IN AFGHANISTAN
12 FROM LIMITATION ON AUTHORITY RELATED TO LONG-
13 TERM UNITED STATES PRESENCE.—Such subsection, as
14 so amended, is further amended by inserting before the
15 period at the end of paragraph (2) the following: “, unless
16 the military installation is located in Afghanistan, in which
17 case the condition shall not apply”.

18 (c) QUARTERLY REPORTS.—Subsection (d)(1) of sec-
19 tion 2808 of the Military Construction Authorization Act
20 for Fiscal Year 2004 (division B of Public Law 108–136;
21 117 Stat. 1723), as amended by section 2810 of the Mili-
22 tary Construction Authorization Act for Fiscal Year 2005
23 (division B of Public Law 108–375; 118 Stat. 2128) and
24 section 2809 of the Military Construction Authorization
25 Act for Fiscal Year 2006 (division B of Public Law 109–

1 163; 119 Stat. 3508), is further amended by striking “30
2 days” and inserting “45 days”.

3 **SEC. 2803. IMPROVED OVERSIGHT AND ACCOUNTABILITY**
4 **FOR MILITARY HOUSING PRIVATIZATION INI-**
5 **TIATIVE PROJECTS.**

6 (a) IN GENERAL.—Subchapter IV of chapter 169 of
7 title 10, United States Code, is amended by adding at the
8 end the following new section:

9 **“§ 2885. Oversight and accountability for privatiza-**
10 **tion projects**

11 “(a) OVERSIGHT AND ACCOUNTABILITY MEAS-
12 URES.—Each Secretary concerned shall prescribe regula-
13 tions to effectively oversee and manage military housing
14 privatization projects carried out under this subchapter.
15 The regulations shall include the following requirements
16 for each privatization project:

17 “(1) The installation asset manager shall con-
18 duct monthly site visits and provide reports on the
19 progress of the construction or renovation of the
20 housing units. The reports shall be endorsed by the
21 commander at such installation and submitted quar-
22 terly to the assistant secretary for installations and
23 environment of the respective military department
24 and the Deputy Under Secretary of Defense (Instal-
25 lations and Environment).

1 “(2) The installation asset manager, and, as
2 applicable, the resident construction manager, pri-
3 vatization asset manager, bondholder representative,
4 project owner, developer, general contractor, and
5 construction consultant for the project shall conduct
6 monthly meetings to ensure that the construction or
7 renovation of the units meets performance and
8 schedule requirements and that appropriate oper-
9 ating and ground lease agreements are in place and
10 adhered to.

11 “(3) If a project is 90 days or more behind
12 schedule or otherwise appears to be substantially
13 failing to adhere to the obligations or milestones
14 under the contract, the assistant secretary for instal-
15 lations and environment of the respective military
16 department shall submit a notice of deficiency to the
17 Deputy Under Secretary of Defense (Installations
18 and Environment), the Secretary concerned, the
19 managing member, and the trustee for the project.

20 “(4)(A) Not later than 15 days after the sub-
21 mittal of a notice of deficiency under paragraph (3),
22 the Secretary concerned shall submit to the project
23 owner, developer, or general contractor responsible
24 for the project a summary of deficiencies related to
25 the project.

1 “(B) If the project owner, developer, or general
2 contractor responsible for the project is unable, with-
3 in 30 days after receiving a notice of deficiency
4 under subparagraph (A), to make progress on the
5 issues outlined in such notice, the Secretary con-
6 cerned shall submit to the project owner, developer,
7 or general contractor, the bondholder representative,
8 and the trustee an official letter of concern address-
9 ing the deficiencies and detailing the corrective ac-
10 tions that should be taken to correct the deficiencies.

11 “(C) If the project owner, developer, or general
12 contractor responsible for the privatization project is
13 unable, within 60 days after receiving a notice of de-
14 ficiency under subparagraph (A), to make progress
15 on the issues outlined in such notice, the Deputy
16 Under Secretary of Defense (Installations and Envi-
17 ronment) shall notify the congressional defense com-
18 mittees of the status of the project, and shall pro-
19 vide a recommended course of action to correct the
20 problems.

21 “(b) COMMUNITY MEETINGS.—(1) Prior to the com-
22 mencement of privatization project, the assistant secretary
23 for installations and environment of the respective military
24 department and the commanding officer of the local mili-

1 tary installation shall hold a meeting with the local com-
2 munity to communicate the following information:

3 “(A) The nature of the project.

4 “(B) Any contractual arrangements.

5 “(C) Potential liabilities to local construction
6 management companies and subcontractors.

7 “(2) The requirement under paragraph (1) may be
8 met by publishing the information described in such para-
9 graph on the Federal Business Opportunities
10 (FedBizOpps) Internet website.

11 “(c) REQUIRED QUALIFICATIONS.—The Secretary
12 concerned shall certify that the project owner, developer,
13 or general contractor that is selected for each military
14 housing privatization initiative project has construction
15 experience commensurate with that required to complete
16 the project.

17 “(d) BONDING LEVELS.—The Secretary concerned
18 shall ensure that the project owner, developer, or general
19 contractor responsible for a military housing privatization
20 initiative project has sufficient payment and performance
21 bonds or suitable instruments in place for each phase of
22 a construction or renovation portion of the project to en-
23 sure successful completion of the work in amounts as
24 agreed to in the project’s legal documents, but in no case
25 less than 50 percent of the total value of the active phases

1 of the project, prior to the commencement of work for that
2 phase.

3 “(e) CERTIFICATIONS REGRADING PREVIOUS BANK-
4 RUPTCY DECLARATIONS.—If a military department
5 awards a contract or agreement for a military housing pri-
6 vatization initiative project to a project owner, developer,
7 or general contractor that has previously declared bank-
8 ruptcy, the Secretary concerned shall specify in the notifi-
9 cation to Congress of the project award the extent to
10 which the issues related to the previous bankruptcy are
11 expected to impact the ability of the project owner, devel-
12 oper, or general contractor to complete the project.

13 “(f) COMMUNICATION REGARDING POOR PERFORM-
14 ANCE.—The Deputy Under Secretary of Defense (Instal-
15 lations and Environment) shall prescribe policies to pro-
16 vide for regular and appropriate communication between
17 representatives of the military departments and bond-
18 holders for military housing privatization initiative
19 projects to ensure timely action to address inadequate per-
20 formance in carrying out projects.

21 “(g) REPORTING OF EFFORTS TO SELECT SUC-
22 CESSOR IN EVENT OF DEFAULT.—In the event a military
23 housing privatization initiative project enters into default,
24 the assistant secretary for installations and environment
25 of the respective military department shall submit a report

1 to the congressional defense committees every 90 days de-
2 tailing the status of negotiations to award the project to
3 a new project owner, developer, or general contractor.

4 “(h) EFFECT OF UNSATISFACTORY PERFORMANCE
5 RATING ON AFFILIATED ENTITIES.—In the event the
6 project owner, developer, or general contractor for a mili-
7 tary construction project receives an unsatisfactory per-
8 formance rating due to poor performance, each parent,
9 subsidiary, affiliate, or other controlling entity of such
10 owner, developer, or contractor shall also receive an unsat-
11 isfactory performance rating.

12 “(i) EFFECT OF NOTICES OF DEFICIENCY ON CON-
13 TRACTORS AND AFFILIATED ENTITIES.—(1) The Deputy
14 Under Secretary of Defense (Installations and Environ-
15 ment) shall keep a record of all plans of action or notices
16 of deficiency issued to a project owner, developer, or gen-
17 eral contractor under subsection (a)(4), including the
18 identity of each parent, subsidiary, affiliate, or other con-
19 trolling entity of such owner, developer, or contractor.

20 “(2) CONSULTATION.—Each military department
21 shall consult the records maintained under paragraph (1)
22 when reviewing the past performance of owners, devel-
23 opers, and contractors in the bidding process for a con-
24 tract or other agreement for a military housing privatiza-
25 tion initiative project.

1 “(j) PROCEDURES FOR IDENTIFYING AND COMMU-
 2 NICATING BEST PRACTICES FOR TRANSACTIONS.—(1)

3 The Secretary of Defense shall identify best practices for
 4 military housing privatization projects, including—

5 “(A) effective means to track and verify proper
 6 performance, schedule, and cash flow;

7 “(B) means of overseeing the actions of bond-
 8 holders to properly monitor construction progress
 9 and construction draws;

10 “(C) effective structuring of transactions to en-
 11 sure the United States Government has adequate
 12 abilities to oversee project owner performance; and

13 “(D) ensuring that notices to proceed on new
 14 work are not issued until proper bonding is in place.

15 “(2) The Secretary shall prescribe regulations to im-
 16 plement the best practices developed pursuant to para-
 17 graph (1).”.

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

“2885. Oversight and accountability for privatization projects.”.

21 **SEC. 2804. LEASING OF MILITARY FAMILY HOUSING TO**
 22 **SECRETARY OF DEFENSE.**

23 (a) LEASING OF HOUSING.—Subchapter II of chap-
 24 ter 169 of title 10, United States Code, is amended by
 25 inserting after section 2837 the following new section:

1 **“§ 2838. Leasing of military family housing to Sec-**
2 **retary of Defense**

3 “(a) **AUTHORITY.**—(1) The Secretary of a military
4 department may lease to the Secretary of Defense military
5 family housing in the National Capital Region (as defined
6 in section 2674(f) of this title).

7 “(2) In determining the military housing unit to lease
8 under this section, the Secretary of Defense should first
9 consider any available military housing units that are al-
10 ready substantially equipped for executive communications
11 and security.

12 “(b) **RENTAL RATE.**—A lease under subsection (a)
13 shall provide for the payment by the Secretary of Defense
14 of consideration in an amount equal to 105 percent of the
15 monthly rate of basic allowance for housing prescribed
16 under section 403(b) of title 37 for a member of the uni-
17 formed services in the pay grade of O–10 with dependents
18 assigned to duty at the military installation on which the
19 leased housing unit is located. A rate so established shall
20 be considered the fair market value of the lease interest.

21 “(c) **TREATMENT OF PROCEEDS.**—(1) The Secretary
22 of a military department shall deposit all amounts received
23 pursuant to leases entered into by the Secretary under this
24 section into a special account in the Treasury established
25 for such military department.

1 “(2) The proceeds deposited into the special account
 2 of a military department pursuant to paragraph (1) shall
 3 be available to the Secretary of that military department,
 4 without further appropriation, for the maintenance, pro-
 5 tection, alteration, repair, improvement, or restoration of
 6 military housing on the military installation at which the
 7 housing leased pursuant to subsection (a) is located.”.

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

“2838. Leasing of military family housing to Secretary of Defense.”.

11 **SEC. 2805. COST-BENEFIT ANALYSIS OF DISSOLUTION OF**
 12 **PATRICK FAMILY HOUSING LLC.**

13 (a) COST-BENEFIT ANALYSIS.—Not later than 30
 14 days after the date of the enactment of this Act, the Sec-
 15 retary of the Air Force shall submit to the congressional
 16 defense committees a cost-benefit analysis of dissolving
 17 Patrick Family Housing LLC without exercising the full
 18 range of rights available to the United States Government
 19 to recover damages from the partnership.

20 (b) CONTENT.—The analysis required under sub-
 21 section (a) shall include an evaluation of the best practices
 22 for executing military housing privatization projects as de-
 23 termined by the Department of Defense and the Secre-
 24 taries concerned and the other options available to restore

1 the financial health of nonperforming or defaulting
2 projects.

3 (c) TEMPORARY MORATORIUM ON CERTAIN AC-
4 TIONS.—The Secretary of the Air Force may not, in car-
5 rying out a military housing privatization project initiated
6 at Patrick Air Force Base, Florida, dissolve the Patrick
7 Family Housing LLC until the Secretary of the Air Force
8 submits the cost-benefit analysis required under sub-
9 section (a).

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

12 **SEC. 2811. PARTICIPATION IN CONSERVATION BANKING** 13 **PROGRAMS.**

14 (a) IN GENERAL.—Chapter 159 of title 10, United
15 States Code, is amended by inserting after section 2694b
16 the following new section:

17 **“§ 2694c. Participation in conservation banking pro-** 18 **grams**

19 “(a) AUTHORITY TO PARTICIPATE.—The Secretary
20 of a military department, and the Secretary of Defense
21 with respect to matters concerning a Defense Agency,
22 when engaged or proposing to engage in an authorized ac-
23 tivity that may or will result in an adverse impact on one
24 or more species protected (or pending protection) under
25 any applicable provision of law, or on a habitat for such

1 species, may make payments to a conservation banking
 2 program or ‘in-lieu-fee’ mitigation sponsor approved in ac-
 3 cordance with the Federal Guidance for the Establish-
 4 ment, Use and Operation of Mitigation Banks (60 Fed.
 5 Reg. 58605; November 28, 1995) or the Guidance for the
 6 Establishment, Use, and Operation of Conservation Banks
 7 (68 Fed. Reg. 24753; May 2, 2003), or any successor or
 8 related administrative guidance or regulation.

9 “(b) FACILITATION OF TESTING OR TRAINING AC-
 10 TIVITIES OR MILITARY CONSTRUCTION.—Participation in
 11 conservation banking and ‘in-lieu-fee’ programs under
 12 subsection (a) shall be for the purposes of facilitating—

13 “(1) military testing or training activities; or

14 “(2) military construction.

15 “(c) TREATMENT OF PAYMENTS.—Payments made
 16 under subsection (a) to a conservation banking program
 17 or ‘in-lieu-fee’ mitigation sponsor for the purpose of facili-
 18 tating military construction may be treated as eligible
 19 project costs for such military construction.”.

20 (b) CLERICAL AMENDMENT.—The table of sections
 21 at the beginning of such chapter is amended by inserting
 22 after the item relating to section 2694b the following new
 23 item:

“2694c. Participation in conservation banking programs.”.

1 **SEC. 2812. CLARIFICATION OF CONGRESSIONAL REPORT-**
2 **ING REQUIREMENTS FOR CERTAIN REAL**
3 **PROPERTY TRANSACTIONS.**

4 Section 2662(c) of title 10, United States Code, is
5 amended by striking “river and harbor projects or flood
6 control projects” and inserting “water resource develop-
7 ment projects of the Corps of Engineers”.

8 **SEC. 2813. MODIFICATION OF LAND MANAGEMENT RE-**
9 **STRICTIONS APPLICABLE TO UTAH NA-**
10 **TIONAL DEFENSE LANDS.**

11 Section 2815 of the National Defense Authorization
12 Act for Fiscal Year 2000 (Public Law 106–65; 113 Stat.
13 852) is amended—

14 (1) in subsection (a), by striking “that are ad-
15 jacent to or near the Utah Test and Training Range
16 and Dugway Proving Ground or beneath” and in-
17 serting “that are beneath”; and

18 (2) by adding at the end the following new sub-
19 section:

20 “(e) SUNSET DATE.—This section shall expire on Oc-
21 tober 1, 2013.”.

1 **Subtitle C—Land Conveyances**

2 **SEC. 2821. TRANSFER OF PROCEEDS FROM PROPERTY CON-** 3 **VEYANCE, MARINE CORPS LOGISTICS BASE,** 4 **ALBANY, GEORGIA.**

5 (a) TRANSFER AUTHORIZED.—The Secretary of De-
6 fense may transfer any proceeds from the sale of approxi-
7 mately 120.375 acres of improved land located at the
8 former Boyett Village Family Housing Complex at the
9 Marine Corps Logistics Base, Albany, Georgia, into the
10 Department of Defense Family Housing Improvement
11 Fund established under section 2883(a)(1) of title 10,
12 United States Code, for carrying out activities under sub-
13 chapter IV of chapter 169 of that title with respect to mili-
14 tary family housing.

15 (b) NOTIFICATION REQUIREMENT.—A transfer of
16 proceeds under subsection (a) may be made only after the
17 end of the 30-day period beginning on the date the Sec-
18 retary of Defense submits written notice of the transfer
19 to the congressional defense committees.

Subtitle D—Energy Security

SEC. 2831. EXPANSION OF AUTHORITY OF THE MILITARY DEPARTMENTS TO DEVELOP ENERGY ON MILITARY LANDS.

(a) DEVELOPMENT OF ANY RENEWABLE ENERGY
RESOURCE.—Section 2917 of title 10, United States
Code, is amended—

(1) by inserting “(a) DEVELOPMENT OF RE-
NEWABLE ENERGY RESOURCES.—” before “The
Secretary of a military department”;

(2) in subsection (a), as designated by para-
graph (1), by striking “geothermal energy resource”
and inserting “renewable energy resource”; and

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

“(b) RENEWABLE ENERGY RESOURCE DEFINED.—

In this section, the term ‘renewable energy resource’ has
the meaning given the term ‘renewable energy’ in section
203(b)(2) of the Energy Policy Act of 2005 (42 U.S.C.
15852(b)(2)).”.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

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

1 **“§ 2917. Development of renewable energy resources**
 2 **on military lands”.**

3 (2) CLERICAL AMENDMENT.—The table of sec-
 4 tions at the beginning of subchapter I of chapter
 5 173 of such title is amended by striking the item re-
 6 lating to section 2917 and inserting the following
 7 new item:

“2917. Development of renewable energy resources on military lands.”.

8 **Subtitle E—Other Matters**

9 **SEC. 2841. REPORT ON APPLICATION OF FORCE PROTEC-**
 10 **TION AND ANTI-TERRORISM STANDARDS TO**
 11 **GATES AND ENTRY POINTS ON MILITARY IN-**
 12 **STALLATIONS.**

13 (a) REPORT REQUIRED.—Not later than February 1,
 14 2009, the Secretary of Defense shall submit to the con-
 15 gressional defense committees a report on the implementa-
 16 tion of Department of Defense Anti-Terrorism/Force Pro-
 17 tection standards at gates and entry points of military in-
 18 stallations.

19 (b) CONTENT.—The report required under subsection
 20 (a) shall include the following:

21 (1) A description of the anti-terrorism/force
 22 protection standards for gates and entry points.

23 (2) An assessment, by installation, of whether
 24 the gates and entry points meet anti-terrorism/force
 25 protection standards.

1 (3) An assessment of whether the standards are
2 met with either temporary or permanent measures,
3 facilities, or equipment.

4 (4) A description and cost estimate of each ac-
5 tion to be taken by the Secretary of Defense for
6 each installation to ensure compliance with Depart-
7 ment of Defense Anti-Terrorism/Force Protection
8 standards using permanent measures and construc-
9 tion methods.

10 (5) An investment plan to complete all action
11 required to ensure compliance with the standards de-
12 scribed under paragraph (1).

13 **TITLE XXIX—WAR-RELATED**
14 **MILITARY CONSTRUCTION**
15 **AUTHORIZATIONS**
16 **Subtitle A—Fiscal Year 2008**
17 **Projects**

18 **SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND**
19 **ACQUISITION PROJECTS.**

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

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

Army: Inside the United States

State	Installation or Location	Amount
Alaska	Fort Wainwright	\$17,000,000
California	Fort Irwin	\$11,800,000
Colorado	Fort Carson	\$8,400,000
Georgia	Fort Gordon	\$7,800,000
Hawaii	Schofield Barracks	\$12,500,000
Kentucky	Fort Campbell	\$9,900,000
	Fort Knox	\$7,400,000
North Carolina	Fort Bragg	\$8,500,000
Oklahoma	Fort Sill	\$9,000,000
Texas	Fort Bliss	\$17,300,000
	Fort Hood	\$7,200,000
	Fort Sam Houston	\$7,000,000
Virginia	Fort Lee	\$7,400,000

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

Army: Outside the United States

Country	Installation or Location	Amount
Iraq	Camp Adder	\$13,200,000
	Camp Ramadi	\$6,200,000
	Fallujah	\$5,500,000

10 (c) AUTHORIZATION OF APPROPRIATIONS.—In addi-
11 tion to funds authorized to be appropriated under 2901(c)
12 of the Military Construction Authorization Act for Fiscal
13 Year 2008 (division B of Public Law 110–181; 122 Stat.
14 571), funds are hereby authorized to be appropriated for
15 fiscal years beginning after September 30, 2007, for mili-

tary construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of \$162,100,000 as follows:

(1) For military construction projects inside the United States authorized by subsection (a), \$131,200,000.

(2) For military construction projects outside the United States authorized by subsection (b), \$24,900,000.

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

SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in subsection (b)(1), the Secretary of the Navy 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:

Navy: Inside the United States

State	Installation or Location	Amount
California	Camp Pendleton	\$9,270,000
	China Lake	\$7,210,000
	Point Mugu	\$7,250,000
	San Diego	\$12,299,000
	Twentynine Palms	\$11,250,000
Florida	Eglin Air Force Base	\$780,000
Mississippi	Gulfport	\$6,570,000

Navy: Inside the United States—Continued

State	Installation or Location	Amount
North Carolina	Camp Lejeune	\$27,980,000
Virginia	Yorktown	\$8,070,000

(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds authorized to be appropriated under 2902(d) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110–181; 122 Stat. 572), funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2007, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of \$94,731,000 as follows:

(1) For military construction projects inside the United States authorized by subsection (a), \$90,679,000.

(2) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, \$4,052,000.

SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in subsection (c)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the

1 United States, and in the amounts, set forth in the fol-
 2 lowing table:

Air Force: Inside the United States

Country	Installation or Location	Amount
California	Beale Air Force Base	\$17,600,000
Florida	Eglin Air Force Base	\$11,000,000
New Mexico	Cannon Air Force Base	\$8,000,000

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

Air Force: Outside the United States

Country	Installation or Location	Amount
Qatar	Al Udeid	\$60,400,000

10 (c) AUTHORIZATION OF APPROPRIATIONS.—In addi-
 11 tion to funds authorized to be appropriated under 2903(b)
 12 of the Military Construction Authorization Act for Fiscal
 13 Year 2008 (division B of Public Law 110–181; 122 Stat.
 14 573), funds are hereby authorized to be appropriated for
 15 fiscal years beginning after September 30, 2007, for mili-
 16 tary construction, land acquisition, and military family
 17 housing functions of the Department of the Air Force in
 18 the total amount of \$98,427,000, as follows:

1 (1) For military construction projects inside the
2 United States authorized by subsection (a),
3 \$36,600,000.

4 (2) For military construction projects outside
5 the United States authorized by subsection (b),
6 \$60,400,000.

7 (3) For architectural and engineering services
8 and construction design under section 2807 of title
9 10, United States Code, \$1,427,000.

10 **SEC. 2904. TERMINATION OF AUTHORITY TO CARRY OUT**
11 **FISCAL YEAR 2008 ARMY PROJECTS.**

12 (a) **TERMINATION OF AUTHORITY.**—The table in sec-
13 tion 2901(b) of the Military Construction Authorization
14 Act for Fiscal Year 2008 (division B of Public Law 110–
15 181; 122 Stat. 570), is amended—

16 (1) in the item relating to Camp Adder, Iraq,
17 by striking “\$80,650,000” in the amount column
18 and inserting “\$75,800,000”;

19 (2) in the item relating to Camp Anaconda,
20 Iraq, by striking “\$53,500,000” in the amount col-
21 umn and inserting “\$10,500,000”;

22 (3) in the item relating to Camp Victory, Iraq,
23 by striking “\$65,400,000” in the amount column
24 and inserting “\$60,400,000”;

1 (4) by striking the item relating to Tikrit, Iraq;

2 and

3 (5) in the item relating to Camp Speicher, Iraq,

4 by striking “\$83,900,000” in the amount column

5 and inserting “\$74,100,000”.

6 (b) CONFORMING AMENDMENTS.—Section 2901(c)

7 of the Military Construction Authorization Act for Fiscal

8 Year 2008 (division B of Public Law 110–181; 122 Stat.

9 571) is amended—

10 (1) by striking “\$1,257,750,000” and inserting

11 “\$1,152,100,000”; and

12 (2) in paragraph (2), by striking

13 “\$1,055,450,000” and inserting “\$949,800,000”.

14 **Subtitle B—Fiscal Year 2009**

15 **Projects**

16 **SEC. 2911. AUTHORIZED ARMY CONSTRUCTION AND LAND**

17 **ACQUISITION PROJECTS.**

18 (a) INSIDE THE UNITED STATES.—Using amounts

19 appropriated pursuant to the authorization of appropria-

20 tions in subsection (b)(1), the Secretary of the Army may

21 acquire real property and carry out military construction

22 projects to construct or renovate warrior transition unit

23 facilities at the installations or locations inside the United

24 States set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Various	Various locations	\$400,000,000

1 (b) AUTHORIZATION OF APPROPRIATIONS.—Funds
2 are hereby authorized to be appropriated for fiscal years
3 beginning after September 30, 2008, for military con-
4 struction, land acquisition, and military family housing
5 functions of the Department of the Army in the total
6 amount of \$450,000,000, as follows:

7 (1) For military construction projects inside the
8 United States authorized by subsection (a),
9 \$400,000,000.

10 (2) For architectural and engineering services
11 and construction design under section 2807 of title
12 10, United States Code, \$50,000,000.

13 (c) REPORT REQUIRED BEFORE COMMENCING CER-
14 TAIN PROJECTS.—Funds may not be obligated for the
15 projects authorized by this section until 14 days after the
16 date on which the Secretary of Defense submits to the
17 congressional defense committees a report containing a de-
18 tailed justification for the projects.

19 **SEC. 2912. 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 subsection (b)(1), the Secretary of the Navy may

1 acquire real property and carry out military construction
 2 projects to construct or renovate warrior transition unit
 3 facilities at the installations or locations inside the United
 4 States set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Various	Various locations	\$40,000,000

5 (b) AUTHORIZATION OF APPROPRIATIONS.—Subject
 6 to section 2825 of title 10, United States Code, funds are
 7 hereby authorized to be appropriated for fiscal years be-
 8 ginning after September 30, 2008, for military construc-
 9 tion, land acquisition, and military family housing func-
 10 tions of the Department of the Navy in the total amount
 11 of \$50,000,000, as follows:

12 (1) For military construction projects inside the
 13 United States authorized by subsection (a),
 14 \$40,000,000.

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

18 (c) REPORT REQUIRED BEFORE COMMENCING CER-
 19 TAIN PROJECTS.—Funds may not be obligated for the
 20 projects authorized by this section until 14 days after the
 21 date on which the Secretary of Defense submits to the
 22 congressional defense committees a report containing a de-
 23 tailed justification for the projects.

1 **SEC. 2913. LIMITATION ON AVAILABILITY OF FUNDS FOR**
2 **CERTAIN PURPOSES RELATING TO IRAQ.**

3 No funds appropriated pursuant to an authorization
4 of appropriations in this Act may be obligated or expended
5 for a purpose as follows:

6 (1) To establish any military installation or
7 base for the purpose of providing for the permanent
8 stationing of United States Armed Forces in Iraq.

9 (2) To exercise United States control of the oil
10 resources of Iraq.

Passed the Senate September 17, 2008.

Attest:

Secretary.

110TH CONGRESS
2D SESSION

S. 3003

AN ACT

To authorize appropriations for fiscal year 2009 for
military construction, and for other purposes.