



GENERAL COUNSEL

GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
1600 DEFENSE PENTAGON
WASHINGTON, D. C. 20301-1600

FEB 28 2000

The Honorable J. Dennis Hastert
Speaker of the House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

Enclosed is proposed legislation to authorize military construction and related activities of the Department of Defense. It is styled as Division B—Military Construction Authorizations, with the expectation that it will be included in the National Defense authorizations for fiscal year 2001 with that designation. Enactment of this legislation is necessary to carry out the President's budget plan with regard to military housing and property for fiscal year 2001. This legislation is part of the Legislative Program of the Department of Defense for the Second Session of the 106th Congress.

If enacted, this legislation would make several improvements to the efficiency of managing military construction, base housing, and the use of defense lands. These improvements would include extension of authority to conduct our military privatization initiatives, the revision of the limitations on space in housing by grade, the enhancement of the Military Leasing Act, and several other general and specific authorities in the management of our military housing and property.

The Office of Management and Budget advises that there is no objection to the presentation of this proposal to the Congress, and that its enactment would be in accord with the program of the President.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas A. Dworkin".

Douglas A. Dworkin
Acting General Counsel

Enclosure:
As Stated





GENERAL COUNSEL

GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
1600 DEFENSE PENTAGON
WASHINGTON, D. C. 20301-1600

FEB 29 2000

The Honorable Al Gore
President of the Senate
Washington, D.C. 20510

Dear Mr. President:

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Douglas A. Dworkin
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DIVISION B-MILITARY CONSTRUCTION AUTHORIZATIONS

Sec. 2001. Short title.

TITLE XXI – ARMY

Sec. 2101. Authorized Army construction and land acquisition projects.

Sec. 2102. Family housing.

Sec. 2103. Improvements to military family housing units.

Sec. 2104. Authorization of appropriations, Army.

Sec. 2105. Modification of authority to carry out certain fiscal year 1999 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.

TITLE XXIII - AIR FORCE

Sec. 2301. Authorized Air Force construction and land acquisition projects.

Sec. 2302. Family housing.

Sec. 2303. Improvements to military family housing units.

Sec. 2304. Authorization of appropriations, Air Force.

TITLE XXIV - DEFENSE AGENCIES

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.

Sec. 2402. Energy conservation projects.

Sec. 2403. Authorization of appropriations, Defense Agencies.

TITLE XXV - NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Sec. 2501. Authorized NATO construction and land acquisition projects.

Sec. 2502. Authorization of appropriations, NATO.

TITLE XXVI - GUARD AND RESERVE FORCES FACILITIES

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

TITLE XXVII - EXPIRATION AND EXTENSION OF AUTHORIZATIONS

Sec. 2701. Expiration of authorizations and amounts required to be specified by law.

Sec. 2702. Extension of authorizations of certain fiscal year 1998 projects.

Sec. 2703. Extension of authorizations of certain fiscal year 1997 projects.

Sec. 2704. Effective date.

TITLE XXVIII – GENERAL PROVISIONS

Sec. 2801. Real Property Transactions: Report to Congressional Committees.

Sec. 2802. Definition of an Armory.

Sec. 2803. Extension of Authority for Military Privatization Initiative.

- Sec. 2804. Reimbursement for Services Provided under Housing Privatization Agreements.
- Sec. 2805. Leasing of Military Family Housing the United States Southern Command, Miami, Florida.
- Sec. 2806. Revision of Limitations on Space by Grade.
- Sec. 2907. Modification to Authority for Land Conveyance, Marine Corps Air Station, El Toro, California.
- Sec. 2908. Conveyance of Army and Air Force Exchange Service Real Property.
- Sec. 2909. Enhancement of the Military Leasing Act.

DIVISION B- MILITARY CONSTRUCTION AUTHORIZATIONS

SECTION 2001. SHORT TITLE.

This division may be cited as the "Military Construction Authorization Act for Fiscal Year 2001".

TITLE XXI – ARMY

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

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION

PROJECTS.

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

Army: Inside the United States

State	Installation or Location	Amount
Alabama	Redstone Arsenal	23,400,000
Alaska	Fort Richardson	3,000,000
Arizona	Fort Huachuca	1,250,000
California	Fort Irwin	31,000,000
Georgia	Fort Benning	15,800,000
Hawaii	Wheeler Army Air Field	43,800,000
Maryland	Aberdeen Proving Ground	3,100,000
Missouri	Fort Leonard Wood	61,200,000
North Carolina	Fort Bragg	222,200,000
	Sunny Point Army Term	2,300,000
Ohio	Columbus	1,832,000
Pennsylvania	Carlisle Barracks	10,500,000
	New Cumberland Army Depot	3,700,000

Texas	Fort Bliss	26,000,000
	Fort Hood	26,000,000
	Red River Army Depot	800,000
	TOTAL	475,882,000

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

Army: Outside the United States

Country	Installation or Location	Amount
Germany	Area Support Group, Bamberg	11,650,000
	Area Support Group, Darmstadt	11,300,000
	Kaiserslautern	3,400,000
	Mannheim	4,050,000
Korea	Camp Humphreys	14,200,000
	Camp Page	19,500,000
Kwajalein	Kwajalein Atoll	18,000,000
	TOTAL	82,100,000

(c) UNSPECIFIED WORLDWIDE – Using the amounts appropriated pursuant to the authorization of appropriations in section 2104 (a) (3), the Secretary of the Army may acquire real property and carry out military construction projects for the installation and location and in the amounts, set forth in the following table:

Army: Unspecified Worldwide

Location	Installation	Amount
Unspecified	Classified Location	11,500,000
Worldwide		

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION -- Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(19)(A), the Secretary of the Army may

construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

Army: Family Housing			
State	Installation or Location	Purpose	Amount
Arizona	Fort Huachuca	110 Units	16,224,000
Hawaii	Schofield Barracks	72 Units	15,500,000
Kentucky	Fort Campbell	56 Units	7,800,000
Maryland	Fort Detrick	48 Units	5,600,000
North Carolina	Fort Bragg	112 Units	14,600,000
South Carolina	Fort Jackson	1 Units	250,000
Texas	Fort Bliss	64 Units	10,200,000
Korea	Camp Humphreys	60 Units	21,800,000
	TOTAL		91,974,000

(b) PLANNING AND DESIGN -- Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(19)(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 \$6,542,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in sections 2104(a)(19)(A), the Secretary of the Army may improve existing military family housing units in an amount not to exceed \$63,590,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) IN GENERAL -- Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2000, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of \$2,038,319,000 as follows:

(1) For military construction projects inside the United States authorized by section 2101(a), \$305,282,000.

(2) For the military construction projects outside the United States authorized by section 2101(b), \$82,100,000

(3) For the military construction projects at unspecified worldwide locations authorized by section 2101(c), \$11,500,000

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

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, \$94,706,000.

(6) For military family housing functions:

(A) For construction and acquisition, planning and design and improvement of military family housing and facilities, \$162,106,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), \$978,275,000

(7) For the construction of the Ammunition Demilitarization Facility, Pine Bluff Arsenal, Arkansas, authorized in section 2401 (a) of the Military Construction Authorization Act for Fiscal Year 1995 (Division B of Public Law 103-337; 108 Stat. 3040), as amended by section 2407 of the National Defense Authorization Act for Fiscal Year 1996 (Division B of Public Law 104-106; 110 Stat. 538), section 2408 of the Military Construction Authorization Act for Fiscal Year 1998 (Division B of Public Law 105-85; 111 Stat. 1982), and section 2406 of the Military Construction Authorization Act for Fiscal Year 1999 (Division B of Public Law 105-261; 112 Stat. 2197), \$43,600,000.

(8) For the construction of the Chemical Defense Qualification Facility, Pine Bluff Arsenal, Arkansas, authorized in section 2101 (a) of the Military Construction Authorization Act for Fiscal Year 2000 (Division B of Public Law 106-65, 113 Stat. 825), \$15,500,000.

(9) For the construction of the Ammunition Demilitarization Facility Phase 2, Pueblo Army Depot, Colorado, authorized in section 2401 (a) of the Military Construction Authorization Act for Fiscal Year 1997 (Division B of Public Law 104-201; 110 Stat. 2775), as amended by

section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (Division B of Public Law 106-65; 113 Stat. 839), \$10,700,000.

(10) For the construction of a Barracks Complex – Kelley Hill, Phase 3B, Fort Benning, Georgia, authorized in section 2101 (a) of the Military Construction Act for Fiscal Year 2000 (Division B of Public Law 106-65; 113 Stat. 825), \$24,000,000.

(11) For the construction of a Barracks Complex – Hunter Army Airfield, Phase 1C, Fort Stewart, Georgia, authorized in section 2101 (a) of the Military Construction Authorization Act for Fiscal Year 1998 (Division B of Public Law 105-85; 111 Stat. 1967), \$26,000,000.

(12) For the construction of a Barracks Complex – Wilson St, Phase 1B, Schofield Barracks, Hawaii, authorized in section 2101 (a) of the Military Construction Authorization Act for Fiscal Year 2000 (Division B of Public Law 106-65; 113 Stat. 825), \$46,400,000.

(13) For construction of the Ammunition Demilitarization Facility Phase 3, Newport Army Depot, Indiana, authorized in section 2401 (a) of the Military Construction Authorization Act for Fiscal Year 1999 (Division B of Public Law 105-261; 112 Stat. 2193), \$54,400,000.

(14) For construction of a Barracks Complex – Infantry Drive Phase 1C, Fort Riley, Kansas, authorized in section 2101 (a) of the Military Construction Act for Fiscal Year 1999 (Division B of Public Law 105-261; 112 Stat. 2182), \$15,000,000.

(15) For construction of the Ammunition Demilitarization Support Phase 2, Blue Grass Army Depot, Kentucky, authorized in section 2401 (a) the Military Construction Act for Fiscal Year 2000 (Division B of Public Law 106-65; 113 Stat. 836), \$8,500,000.

(16) For construction of a Barracks Complex – Market Garden Road Phase 2C, Fort Campbell, Kentucky, authorized in section 2101 (a) of the Military Construction Authorization Act for Fiscal Year 1999 (Division B of Public Law 105-261; 112 Stat. 2182), \$9,400,000.

(17) For construction of a Multipurpose Digital Range Phase 3, Fort Knox, Kentucky, authorized in section 2101 (a) of the Military Construction Act for Fiscal Year 1999 (Division B of Public Law 105-261; 112 Stat. 2182), \$8,450,000.

(18) For construction of the Ammunition Demilitarization Facility phase 3, Aberdeen Proving Ground, Maryland, authorized in section 2401 (a) of the Military Construction Authorization Act for Fiscal Year 1999 (Division B of Public Law 105-261; 112 Stat. 2193), \$45,700,000.

(19) For construction of a Consolidated Soldier Support Center Phase 2, Fort Drum, New York, authorized in section 2101 (a) of the Military Construction Authorization Act for Fiscal Year 2000 (Division B of Public Law 106-65; 113 Stat. 825), \$10,300,000.

(20) For the construction of the Cadet Physical Development Center Phase 2A, United States Military Academy, West Point, New York, authorized in section 2101 (a) of the Military Construction Act for Fiscal Year 1999 (Division B of Public Law 105-261; 112 Stat. 2182), \$13,600,000.

(21) For the construction of a Barracks Complex – Tagaytay Street Phase 2B, Fort Bragg, North Carolina, authorized in section 2101 (a) of the Military Construction Act for Fiscal Year 2000 (Division B of Public Law 106-65; 113 Stat. 835), \$38,600,000.

(22) For the construction of the Ammunition Demilitarization Facility Phase 6, Umatilla Army Depot, Oregon, authorized in section 2401 of the Military Construction Authorization Act for Fiscal Year 1995 (Division B of Public Law 103-337; 108 Stat. 3040), as amended by section 2407 of the Military Construction Authorization Act for Fiscal Year 1996 (Division B of Public Law 104-106; 110 Stat. 539), section 2408 of the Military Construction Authorization Act for Fiscal Year 1998 (Division B of Public Law 105-85; 111 Stat. 1982), and section 2406 of the Military Construction Authorization Act for Fiscal Year 1999 (Division B of Public Law 105-261; 112 Stat. 2197), \$9,400,000.

(23) For the construction of the railhead facility at Fort Hood, Texas, authorized in section 2101 (a) of the Military Construction Authorization Act for Fiscal Year 1999 (Division B of Public Law 105-261; 112 Stat. 2182), \$9,800,000.

(b) ADVANCE AUTHORIZATION OF APPROPRIATIONS – Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2001 for completion of military construction projects authorized under section 2101 (a) and section 2401 (a) of the Military Construction Authorization Act for Fiscal Year 1999 (Division B of Public Law 105-261; 112 Stat. 2182 and 2193) and subject to the same terms, as follows:

(1) For completion of a Chemical Demilitarization Facility, Newport Army Depot, Indiana, \$78,000,000.

(2) For completion of a Chemical Demilitarization Facility, Aberdeen Proving Grounds, Maryland, \$51,750,000.

(c) ADVANCE AUTHORIZATION OF APPROPRIATIONS – Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2001 for completion of military construction projects authorized under section 2401 (a) of the Military Construction Authorization Act for Fiscal Year 1997 (Division B of Public Law 104-210; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (Division B of Public Law 106-65; 113 Stat. 839) and subject to the same terms, as follows:

(1) For completion of a Chemical Demilitarization Facility, Pueblo Army Depot, Colorado, \$174,790,000.

(d) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS -- Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variations authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed-

(1) The total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a);

(2) \$22,600,000 (the balance of the amount authorized under section 2101 (a) for the construction of a Basic Training Complex at Fort Leonard Wood, Missouri);

(3) \$10,000,000 (the balance of the amount authorized under section 2101 (a) for construction of a Multipurpose Digital Training Range at Fort Hood, Texas);

(4) \$34,000,000 (the balance of the amount authorized under section 2101 (a) for construction of a barracks complex, Longstreet Road, Phase I at Fort Bragg, North Carolina);

(5) \$104,000,000 (the balance of the amount authorized under section 2101 (a) for the construction of a barracks complex, Bunter Road, Phase I at Fort Bragg, North Carolina).

Sec. 2105. MODIFICATION TO CARRY OUT CERTAIN FISCAL YEAR 1999

PROJECT.

(a) MODIFICATION – The table in section 2101 of the Military Construction Authorization Act for Fiscal Year 1999 (Division B of Public Law 105-261; 112 Stat. 2182) is amended - -

(1) In the item relating to Fort Hood, Texas, by striking out “\$32,500,000” in the amount column and inserting in lieu thereof “\$45,300,000”, and

(2) By striking out the amount identified as the total in the amount column and inserting in lieu thereof “\$781,581,000.”

(b) CONFORMING AMENDMENTS – Section 2104 of that Act (112 Stat. 2184) is amended in subsection (a) in the matter preceding paragraph (1), by striking out “2,098,713,000” and inserting in lieu thereof “\$2,111,513,000”, and in paragraph (1), by striking out “\$609,076,000” and inserting in lieu thereof “\$622,581,000”.

TITLE XXII – NAVY

Sec. 2201. Authorized Navy construction and land acquisition projects.

Sec. 2202. Family housing.

Sec. 2203. Improvements to military family housing units.

Sec. 2204. Authorization of appropriations, Navy.

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION

PROJECTS.

(a) INSIDE THE UNITED STATES -- Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Marine Corps Air Station, Yuma	8,200,000
	Navy Detachment, Camp Navajo	2,940,000
California	Marine Corps Air Station, Miramar	7,350,000
	Marine Corps Air-Ground Combat Center, Twentynine Palms	2,100,000
	Marine Corps Base, Camp Pendleton	8,100,000
	Naval Air Station, Lemoore	8,260,000
	Naval Air Warfare Center Weapons Division, Point Mugu	11,400,000
	Naval Aviation Depot, North Island	4,340,000
	Naval Facility, San Clemente Island	8,860,000
	Naval Ship Weapons Systems Engineering Station, Port Hueneme	10,200,000
	Naval Station, San Diego	53,200,000
Connecticut	Naval Submarine Base, New London	3,100,000
CONUS Various	CONUS Various	11,500,000
District of Columbia	Marine Corps Barracks	17,197,000
	Naval District, Washington	2,450,000
	Naval Research Lab, Washington	12,390,000
Florida	Naval Air Station, Whiting Field, Milton	5,130,000
	Naval Surface Warfare Center Detachment, Ft Lauderdale	3,570,000
Georgia	Marine Corps Logistics Base, Albany	1,100,000
	Trident Refit Facility, Kings Bay	5,200,000
Hawaii	Fleet Industrial Supply Center, Pearl Harbor	12,000,000
	Naval Undersea Weapons Station Detachment, Lualualei	2,100,000
	Marine Corps Air Station, Kaneohe	18,400,000
	Naval Station, Pearl Harbor	30,700,000
Illinois	Naval Training Center, Great Lakes	121,400,000
Maine	Naval Air Station, Brunswick	2,450,000
Maryland	Naval Explosive Ordnance Disposal Tech Center, Indian Head	6,430,000
Mississippi	Naval Air Station, Meridian	4,700,000
New Jersey	Naval Weapons Station, Earle	2,420,000
North Carolina	Marine Corps Air Station, Cherry Point	8,480,000
	Marine Corps Air Station, New River	3,400,000
	Marine Corps Base, Camp LeJeune	45,870,000
	Naval Aviation Depot, Cherry Point	7,540,000
Rhode Island	Naval Undersea Warfare Center Division, Newport	4,150,000
South Carolina	Marine Corps Air Station, Beaufort	3,140,000
	Marine Corps Recruit Depot, Parris Island	2,660,000
Texas	Naval Air Station, Kingsville	2,670,000
Virginia	AEGIS Combat Systems Center, Wallops Island	3,300,000
	Marine Corps Combat Dev Com, Quantico	8,590,000
	Naval Air Station, Norfolk	31,450,000
	Naval Air Station, Oceana	5,250,000
	Naval Amphibious Base, Little Creek	2,830,000
	Naval Shipyard, Norfolk, Portsmouth	16,100,000
	Naval Station, Norfolk	4,700,000
	Naval Surface Warfare Center, Dahlgren	11,300,000
Washington	Puget Sound Naval Shipyard, Bremerton	78,460,000
	Strategic Weapons Facility Pacific, Bremerton	1,400,000

	TOTAL	628,477,000
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(b) OUTSIDE THE UNITED STATES -- Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the locations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Bahrain	Administrative Support Unit	19,400,000
Italy	Naval Air Station, Sigonella	32,969,000
	Naval Support Activity, Naples	15,000,000
Various Locations	Host Nation Infrastructure Support	142,000
TOTAL		67,511,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION -- Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(7)(A), the Secretary of the Navy may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

Navy: Family Housing

State	Installation or Location	Purpose	Amount
California	Marine Corps Air-Ground Combat Center, Twentynine Palms	79 Units	13,923,000
	Naval Air Station, Lemoore	160 Units	27,768,000
Hawaii	Commander Naval Base, Pearl Harbor	112 Units	23,654,000
	Commander Naval Base, Pearl Harbor	62 Units	14,237,000
	Commander Naval Base, Pearl Harbor	98 Units	22,230,000
	Marine Corps Air Station, Kaneohe Bay	84 Units	21,910,000
Maine	Naval Air Station, Brunswick	168 Units	18,722,000
Washington	Naval Air Station, Whidbey Island	98 Units	16,873,000
TOTAL			159,317,000

(b) PLANNING AND DESIGN -- Using amounts appropriated pursuant to the authorization of appropriation in section 2204(a)(7)(A), the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the

construction or improvement of military family housing units in an amount not to exceed \$19,958,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(7)(A), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed \$183,547,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) IN GENERAL. -- Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2000, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of \$1,998,882,000 as follows:

(1) For military construction projects inside the United States authorized by section 2201(a), \$567,457,000.

(2) For military construction projects outside the United States authorized by section 2201(b), 66,571,000.

(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code \$7,659,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, \$63,335,000.

(5) For military family housing functions:

(A) For construction and acquisition, planning and design and improvement of military family housing and facilities, \$362,822,000.

(B) For support of military housing (including functions described in section 2833 of title 10, United States Code), \$882,638,000.

(6) For construction of a Berthing Warf at Naval Air Station North Island, California, authorized in section 2201 (a) of the Military Construction Authorization Act for Fiscal Year 2000 (Division B of Public Law 106-65; 113 Stat. 828), \$12,800,000.

(7) For construction of the Commander-in-Chief Headquarters, Pacific Command, Camp Smith, Hawaii, authorized in section 2201 (a) of the Military Construction Authorization Act for Fiscal Year 2000 (Division B of Public Law 106-65; 113 Stat. 828), \$35,600,000.

(b) ADVANCE AUTHORIZATION OF APPROPRIATION – Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2001 for completion of military construction projects authorized in section 2201 (a) and subject to the same terms, as follows:

(1) For the repair of a pier, Naval Station San Diego, California, \$14,813,000.

(2) For replacement of a pier at Naval Ship Yard Bremerton Puget Sound, Washington, \$23,587,000.

(c) ADVANCE AUTHORIZATION OF APPROPRIATIONS.— Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2001, for completion of military construction projects authorized under section 2201 (a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 825) and subject to the same terms, as follows:

(1) For completion of the Commander-in-Chief Headquarters, Pacific Command, Camp Smith, Hawaii, \$30,664,000.

(d) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—

Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code,

and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed -

(1) The total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a):

(2) \$17,500,000 (the balance of the amount authorized under section 2201 (a) for repair of a pier at Naval Station San Diego, California);

(3) \$24,460,000 (the balance of the amount authorized under section 2201 (a) for replacement of a pier at Naval Ship Yard Bremerton, Puget Sound, Washington);

(4) \$12,390,000 (the balance of the amount authorized under section 2201 (a) for construction of Nano Science Research Laboratory, District of Columbia);

(5) \$2,670,000 (the balance of the amount authorized under section 2201 (a) for construction of an aircraft parking apron, Naval Air Station Kingsville, Texas);

(6) \$940,000 (the balance of the amount authorized under section 2201 (a) for construction of community facilities at Naval Air Station Sigonella, Italy);

(7) \$4,000,000 (the balance of the amount authorized under section 2201 (a) for construction of armories at Marine Corps Base Camp Lejeune, North Carolina).

TITLE XXIII -- AIR FORCE

Sec. 2301. Authorized Air Force construction and land acquisition projects.

Sec. 2302. Family housing.

Sec. 2303. Improvements to military family housing units.

Sec. 2304. Authorization of appropriations, Air Force.

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

(a) **INSIDE THE UNITED STATES** -- Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(1), the Secretary of the Air Force may acquire

real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alabama	Maxwell Air Force Base	3,825,000
Alaska	Cape Romanzof	3,900,000
	Eielson Air Force Base	15,990,000
	Elmendorf Air Force Base	27,520,000
Arizona	Davis-Monthan Air Force Base	7,900,000
Arkansas	Little Rock Air Force Base	17,060,000
California	Beale Air Force Base	3,800,000
	Los Angeles Air Force Base	6,580,000
	Vandenberg Air Force Base	4,650,000
Colorado	Buckley Air National Guard Base	2,750,000
	Peterson Air Force Base	13,260,000
	Schriever Air Force Base	8,450,000
	US Air Force Academy	18,960,000
CONUS Classified	Classified Location	1,810,000
District of Columbia	Bolling Air Force Base	4,520,000
Florida	Eglin Air Force Base	8,940,000
	Eglin Auxiliary Field 9	5,600,000
	Patrick Air Force Base	12,970,000
	Tyndall Air Force Base	25,300,000
Georgia	Fort Stewart/Hunter Army Air Field	4,920,000
	Moody Air Force Base	2,500,000
Hawaii	Hickam Air Force Base	4,620,000
Idaho	Mountain Home Air Force Base	10,125,000
Illinois	Scott Air Force Base	3,830,000
Louisiana	Barksdale Air Force Base	6,390,000
Mississippi	Keesler Air Force Base	15,040,000
Missouri	Whiteman Air Force Base	12,050,000
Montana	Malmstrom Air Force Base	5,300,000
New Jersey	McGuire Air Force Base	9,772,000
North Carolina	Pope Air Force Base	24,570,000
Ohio	Wright-Patterson Air Force Base	22,600,000
Oklahoma	Tinker Air Force Base	18,180,000
South Carolina	Charleston Air Force Base	2,500,000
	Shaw Air Force Base	2,850,000
Texas	Dyess Air Force Base	12,175,000
	Lackland Air Force Base	5,500,000
Utah	Hill Air Force Base	16,500,000
Virginia	Langley Air Force Base	7,470,000
Washington	McChord Air Force Base	10,250,000
Wyoming	F E Warren Air Force Base	25,720,000
	TOTAL	416,647,000

(b) OUTSIDE THE UNITED STATES -- Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(2), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States		
Country	Installation or Location	Amount
Diego Garcia	Diego Garcia	5,475,000
Italy	Aviano Air Base	8,000,000
Korea	Kunsan Air Base	6,400,000
	Osan Air Base	21,948,000
Spain	Naval Station Rota	5,052,000
Turkey	Incirlik Air Base	1,000,000
	TOTAL	47,875,000

SEC. 2302. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION -- Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(6)(A), the Secretary of the Air Force may construct or acquire family housing units (including land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

Air Force: Family Housing			
State	Installation or Location	Purpose	Amount
District of Columbia	Bolling Air Force Base	136 Units	17,137,000
North Dakota	Cavalier Air Force Station	2 Units	443,000
	Minot Air Force Base	134 Units	19,097,000
	TOTAL		36,677,000

(b) PLANNING AND DESIGN -- Using amounts appropriated pursuant to the authorization of appropriations in section 2304 (a)(6)(A), the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed \$12,760,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(6)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed \$174,046,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) IN GENERAL -- Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2000, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of \$1,580,723,000 as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), \$419,007,000.

(2) For military construction projects outside the United States authorized by section 2301(b), \$47,875,000.

(3) For unspecified minor construction projects authorized by section 2805 of title 10, United States Code, \$9,850,000.

(4) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, \$54,237,000.

(5) For military housing functions:

(A) For construction and acquisition, planning and design and improvement of military family housing and facilities, \$223,483,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), \$826,271,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS – Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation

authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

TITLE XXIV -- DEFENSE AGENCIES

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.

Sec. 2402. Energy conservation projects.

Sec. 2403. Authorization of appropriations, Defense Agencies.

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 2405(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States.

Agency	Installation or Location	Amount
Defense Education Activity	Camp LeJeune, North Carolina	5,914,000
	Laurel Bay, South Carolina	804,000
Defense Logistics Agency	Defense Distribution New Cumberland - DDSP,	17,700,000
	Defense Fuel Support Point, Cherry Point, North Carolina	5,700,000
	Defense Fuel Support Point, MacDill AFB, Florida	16,956,000
	Defense Fuel Support Point, McConnell AFB, Kansas	11,000,000
	Defense Fuel Support Point, NAS Fallon, Nevada	5,000,000
	Defense Fuel Support Point, North Island, California	5,900,000
	Defense Fuel Support Point, Oceana NAS, Virginia	2,000,000
	Defense Fuel Support Point, Patuxent River, Maryland	8,300,000
	Defense Fuel Support Point, TwentyNine Palms, California	2,200,000
	Defense Supply Center, Richmond (DLA), Virginia	4,500,000
National Security Agency	Fort Meade, Maryland	4,228,000
Special Operations Command	Eglin Auxiliary Field 9, Florida	23,204,000
	Fleet Combat Training Center, Dam Neck, Virginia	5,500,000
	Fort Bragg, North Carolina	8,600,000
	Fort Campbell, Kentucky	16,300,000
	Naval Air Station, North Island, California	1,350,000
	Naval Air Station, Oceana, Virginia	3,400,000
	Naval Amphibious Base, Coronado, California	4,300,000
	Naval Amphibious Base, Little Creek, Virginia	5,400,000

Tri-Care Management Activity	Edwards Air Force Base, California	17,900,000
	Marine Corps Base, Camp Pendleton, California	14,150,000
	Eglin Air Force Base, Florida	37,600,000
	Fort Drum, New York	1,400,000
	Patrick Air Force Base, Florida	2,700,000
	Tyndall Air Force Base, Florida	7,700,000
	TOTAL	239,706,000

(b) OUTSIDE THE UNITED STATES. -- Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(2), the Secretary of Defense may acquire real property and carry out military construction projects for the installations and locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States.

Agency	Installation or Location	Amount
Defense Education Activity	Hanau, Germany	1,026,000
	Hohenfels, Germany	13,774,000
	Royal Air Force, Feltwell, United Kingdom	1,287,000
	Royal Air Force Lakenheath, United Kingdom	3,086,000
	Schweinfurt, Germany	1,444,000
	Sigonella, Italy	971,000
	Wuerzburg, Germany	1,798,000
Defense Finance & Accounting	Kleber Kaserne, Germany	7,500,000
Defense Logistics Agency	Defense Fuel Support Point, Andersen AFB, Guam	36,000,000
	Defense Fuel Support Point, MCAS Iwakuni, Japan	22,400,000
	Defense Fuel Support Point, Misawa Air Base, Japan	26,400,000
	Defense Fuel Support Point, RAF Mildenhall, United Kingdom	10,000,000
	Defense Fuel Support Point, Sigonella, Italy	16,300,000
Defense Threat Reduction	Darmstadt, Germany	2,450,000
Office Secretary of Defense	Aruba, Curacao/Aruba	10,250,000
	Curacao, Curacao/Aruba	43,900,000
	Manta, Ecuador	22,673,000
Special Operations Command	Roosevelt Roads, Puerto Rico	1,241,000
	Taegu, Korea	1,450,000
Tri-Care Management Agency	Kitzingen, Germany	1,400,000
	Naval Support Activity, Naples, Italy	43,850,000
	Wiesbaden Air Base, Germany	7,187,000
	TOTAL	276,387,000

(c) UNSPECIFIED WORLDWIDE. -- Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(3), the Secretary of Defense may

acquire real property and carry out military construction projects for the installations and locations, and in the amounts, set forth in the following table:

Defense Agencies: Unspecified Worldwide		
Location	Installation	Amount
Unspecified Worldwide	Unspecified Worldwide	451,135,000

SEC. 2402. ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(6), the Secretary of Defense may carry out energy conservation projects under section 2865 of title 10, United States Code, in the amount of \$33,570,000.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) IN GENERAL. -- Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2000, for military construction, land acquisition, ~~environmental restoration~~ and military family housing functions of the Department of Defense (other than the military departments), in the total amount of \$2,004,008,000 as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), \$239,706,000.

(2) For military construction projects outside the United States authorized by section 2401(b), \$276,387,000.

(3) For the military construction projects at unspecified worldwide locations authorized by section 2401(c), \$85,095,000.

(4) For unspecified minor construction projects under section 2805 of title 10, United States Code, \$17,390,000

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

(6) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, \$78,605,000.

(7) For Energy Conservation projects authorized by section 2404 of this Act, \$33,570,000.

(8) For base closure and realignment activities as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), \$1,174,369,000.

(9) For military family housing functions:

(A) For support of military housing (including functions described in section 2833 of title 10, United States Code), \$44,886,000 of which not more than \$38,478,000 may be obligated or expended for the leasing of military family housing units worldwide.

(10) For construction of a replacement hospital at Fort Wainwright, Alaska, authorized in section 2401 (a) of the Military Construction Authorization Act for Fiscal Year 2000 (Division B of Public Law 106-65; 113 Stat. 836), \$44,000,000.

(b) ADVANCE AUTHORIZATION OF APPROPRIATIONS – Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2001, for completion of the following projects authorized in section 2401 (a) and subject to the same terms, as follows:

(1) For completion of construction of National Missile Defense Initial Deployment Facilities, Unspecified Worldwide, \$379,100,000.

(c) ADVANCE AUTHORIZATION OF APPROPRIATIONS – Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2001, for completion of military construction projects authorized under section 2401 (a) of the Military Construction

Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 825) and subject to the same terms, as follows:

(1) For completion of construction of a replacement hospital at Fort Wainwright, Alaska, \$68,000,000.

(b) LIMITATION OF TOTAL COST OF CONSTRUCTION PROJECTS --

Notwithstanding the cost variation authorized by section 2853 of title 10, United States Code, and any other cost variations authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

TITLE XXV -- NORTH ATLANTIC TREATY ORGANIZATION
SECURITY INVESTMENT PROGRAM

Sec. 2501. Authorized NATO construction and land acquisition projects.

Sec. 2502. Authorization of appropriations, NATO.

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION
PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2000, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty

Organization Security Investment Program authorized by section 2501, in the amount of \$190,000,000.

TITLE XXVI -- GUARD AND RESERVE FORCES FACILITIES

Sec. 2601. Authorized guard and reserve construction and land acquisition projects.

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

(a) IN GENERAL -- There are authorized to be appropriated for fiscal years beginning after September 30, 2000, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions there for, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), the following amounts:

(1) For the Department of the Army--

(A) For the Army National Guard of the United States, \$59,130,000; and

(B) For the Army Reserve, \$81,713,000

(2) For the Department of the Navy, for the Naval and Marine Corps Reserve, 16,103,000

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

(A) For the Air National Guard of the United States, \$50,179,000; and

(B) For the Air Force Reserve, \$14,851,000.

TITLE XXVII -- EXPIRATION AND EXTENSION OF AUTHORIZATIONS

Sec. 2701. Expiration of authorizations and amounts required to be specified by law.

Sec. 2702. Extension of authorizations of certain fiscal year 1998 projects.

Sec. 2703. Extension of authorizations of certain fiscal year 1997 projects.

Sec. 2704. Effective date.

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

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVI 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) shall expire on the later of---

(1) October 1, 2003; or

(2) the date for the enactment of an Act authorizing funds for military construction for fiscal year 2004.

(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, 2003; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2004 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment program.

**SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1998
PROJECTS.**

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1998 (division B of Public Law 105-85; 111 Stat. 1984), authorizations set forth in the tables in subsection (b), as provided in section 2102, 2202, or 2302

of that Act, shall remain in effect until October 1, 2001, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2002, whichever is later.

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

Army: Extension of 1998 Project Authority

State	Installation or Location	Project	Amount
Maryland	Fort Meade	Family Housing Construction (56 units)	\$7,900,000
Texas	Fort Hood	Family Housing Construction (130 units)	\$18,800,000

Navy: Extension of 1998 Project Authorization

State	Installation or Location	Project	Amount
California	Naval Complex San Diego	Replacement Family Housing Construction (94 units)	\$13,500,000
California	Marine Corps Station Miramar	Family Housing Construction (166 units)	\$28,881,000
California	MGAGCC 29 Palms	Replacement Family Housing Construction (132 units)	\$23,891,000
Louisiana	Naval Complex New Orleans	Replacement Family Housing Construction (100 units)	\$11,930,000
Texas	Naval Air Station Corpus Christi	Family Housing Construction (212 units)	\$22,250,000
Washington	Naval Air Station Whidbey Island	Replacement Family Housing Construction (102 units)	\$16,000,000

Air Force: Extension of 1998 Project Authorization

State	Installation or Location	Project	Amount
Georgia	Robins Air Force Base	Replace Family Housing (60 units)	\$6,800,000
Idaho	Mountain Home Air Force Base	Replace Family Housing (60 units)	\$11,032,000
New Mexico	Kirtland Air Force Base	Replace Family Housing (180 units)	\$20,900,000
Texas	Dyess Air Force Base	Construct Family Housing (70 units)	\$10,503,000

SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 1997 PROJECTS.

(A) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104-201; 110 Stat. 2782), authorizations set forth in the tables in subsection (b), as provided in section 2201 or 2202 of that Act, shall remain in effect until October 1, 2001, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2002, whichever is later.

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

Navy: Extension of 1997 Project Authorization

State	Installation or Location	Project	Amount
Florida	Naval Station Mayport	Family Housing Construction (100 units)	\$10,000,000
North Carolina	MCB Camp Lejuene	Family Housing Construction (94 units)	\$10,110,000
South Carolina	Marine Corps Air Station Beaufort	Family Housing Construction (140 units)	\$14,000,000
Texas	Naval Complex Corpus Christi	Family Housing Replacement (104 units)	\$11,675,000
Texas	Naval Air Station Kingsville	Family Housing Replacement (48 units)	\$7,550,000
Virginia	Marine Corps Combat Development Command Quantico	Sanitary Landfill	\$8,900,000
Washington	Naval Station Everett	Family Housing Construction (100 units)	\$15,015,000

SEC. 2704. EFFECTIVE DATE.

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

- (1) October 1, 2000; or
- (2) the date of the enactment of this Act.

TITLE XVIII – GENERAL PROVISIONS

Sec. 2801. Real Property Transactions: Report to Congressional Committees.

Sec. 2802. Definition of an Armory.

- Sec. 2803. Extension of Authority for Military Privatization Initiative.
- Sec. 2804. Reimbursement for Services Provided under Housing Privatization Agreements.
- Sec. 2805. Leasing of Military Family Housing the United States Southern Command, Miami, Florida.
- Sec. 2806. Revision of Limitations on Space by Grade.
- Sec. 2907. Modification to Authority for Land Conveyance, Marine Corps Air Station, El Toro, California.
- Sec. 2908. Conveyance of Army and Air Force Exchange Service Real Property.
- Sec. 2909. Enhancement of the Military Leasing Act.

SEC. 2801. REAL PROPERTY TRANSACTIONS: REPORTS TO CONGRESSIONAL COMMITTEES.

Section 2662 of title 10, United States Code, is amended by striking out "\$200,000" each place it appears and inserting in lieu thereof "\$500,000".

SEC. 2802. DEFINITION OF AN ARMORY

Section 18232(3) of title 10, United States Code, is amended by inserting "or 'readiness center'" after "'armory'".

SEC. 2803. EXTENSION OF AUTHORITY FOR MILITARY HOUSING PRIVATIZATION INITIATIVE

Section 2885 of title 10, United States Code, is amended by striking out "2001" and inserting in lieu thereof "2006".

SEC. 2804. REIMBURSEMENT FOR SERVICES PROVIDED UNDER HOUSING PRIVATIZATION AGREEMENTS

Section 2872 of title 10, United States Code, is amended—

(1) by inserting "(a) GENERAL AUTHORITY.—" before "In addition"; and

(2) by adding at the end the following new subsection:

"(b) REIMBURSABLE SERVICES.—The Secretary concerned may provide utilities or services to eligible entities, on a reimbursable basis, as a part of any project for the acquisition or construction of military family housing units or military unaccompanied housing units under this subchapter, when such housing units are located on a military

installation. Payments for such utilities or services shall be credited to the appropriation account or working capital fund from which the cost of furnishing the utilities and services was paid, and are hereby available for obligation until expended.”.

SEC. 2805. LEASING OF MILITARY FAMILY HOUSING, UNITED STATES

SOUTHERN COMMAND, MIAMI, FLORIDA.

(a) FIVE YEAR LEASE.—Subsection (b)(4) of section 2828 of title 10, United States Code, is amended by striking "and no lease on any individual housing unit may exceed \$60,000 per year" and inserting the following new sentence: “Leases under this paragraph may be written for any period not in excess of five years, and the costs of such leases for any year may be paid out of annual appropriations for that year.”.

(b) HOUSING ADJUSTMENT.—Section 2828(b) of such title 10 is further amended—

(1) in paragraph (5) by striking “(2), (3), and (4)” and inserting “(2) and (3)”; and

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

“(6) At the beginning of each fiscal year, the Secretary of the Army shall adjust the maximum amount provided for leases under paragraph (4) for the previous fiscal year by the percentage (if any) by which the Department of Defense Basic Allowance for Housing (BAH) for the Miami metropolitan area during the preceding fiscal year exceeded such Basic Allowance for Housing for the fiscal year before such preceding year.”.

SEC. 2806. REVISION OF LIMITATIONS ON SPACE BY PAY GRADE.

Section 2826 of title 10, United States Code, is amended —

(1) in subsection (a)—

(A) by striking the designator "(a)"; and

(B) by striking "the following are the space limitations" and all that follows through the end of the subsection, and inserting "the Secretary concerned shall ensure that the room patterns and floor areas are generally comparable to the room patterns and floor areas of similar housing units in the locality concerned."

(2) by striking subsections (b) through (i)

**SEC. 2807. MODIFICATION TO AUTHORITY FOR LAND CONVEYANCE, MARINE
CORPS AIR STATION, EL TORO, CALIFORNIA.**

Section 2811(a)(2) of public law 101-189, the National Defense Authorization Act for Fiscal Years 1990 and 1991, is amended by striking out "of additional military family housing units at Marine Corps Air Station, Tustin, California." and inserting in lieu thereof "and repair of roads and development of Aerial Port of Embarkation facilities at Marine Corps Air Station, Miramar, California."

**SEC. 2808. CONVEYANCE OF ARMY AND AIR FORCE EXCHANGE SERVICE
REAL PROPERTY.**

(a) CONVEYANCE AUTHORIZED.—The Secretary of Defense may authorize the Army and Air Force Exchange Service, an Instrumentality of the United States, to convey all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, that is located at 2727 LBJ Freeway, Farmers Branch, Texas.

(b) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. The prospective purchaser will bear the expense of the survey.

(c) CONSIDERATION.—The Secretary shall require as consideration for conveyance under subsection (a) an amount equal to the fair market value (as determined by the Secretary) of the interest conveyed. The consideration tendered shall take the form of a lump sum payment.

(d) TREATMENT OF PAYMENTS.— Any lump sum payment received under subsection (c) shall be handled in accordance with section 204(c) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 485(c)).

(e) ADDITIONAL CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance set forth in subsection (a) as the Secretary considers

appropriate to protect the interests of the United States.

(f) APPLICATION OF OTHER LAWS.—The conveyance authorized by subsection (a) is not subject to the requirements of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484, *et seq.*), section 2693 of title 10, or section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411). To the extent this authorization conflicts with authority set forth in other provisions of law, the express authority set forth herein shall govern the conveyance of the property described in subsection (a).

(g) CONGRESSIONAL REPORT.—The Secretary shall prepare a report to the Congress detailing the particulars of the sale of the property in subsection (a) within one year of the final date of sale.

SEC. 2809. ENHANCEMENT OF THE MILITARY LEASING ACT.

(a) CLARIFICATION OF IN KIND CONSIDERATION.—Section 2667 of title 10, United States Code, is amended—

(1) in subsection (a)--

(A) by inserting "and" at the end of paragraph (1);

(B) by striking paragraph (2); and

(C) by redesignating paragraph (3) as paragraph (2), respectively;

(2) in subsection (b)(4)--

(A) by striking "(in cash or in kind)"; and

(C) by adding before the semicolon at the end:

"which consideration may be in cash or, notwithstanding section 321 of the Act of June 30, 1932 (40 U.S.C. 303b), in kind";

(3) in subsection (b)(5)--

(A) by striking "improvement, maintenance, protection," and inserting in lieu thereof "alteration,";

(B) by striking "restoration" and inserting in lieu thereof "improvement";

and

(C) by striking "or of the entire unit or installation where a substantial part of it is leased,";

(4) by transferring subsection (c) to the end of the section and by redesignating subsection (c), as so transferred, as subsection (j); and

(5) by inserting after subsection (b) the following new subsection (c):

"(c) (1) In kind consideration referred to in subsection (b)(4) may take the form of maintenance, protection, alteration, repair, improvement, or restoration (including environmental restoration), of property or facilities under the control of the Secretary concerned; construction of new facilities for the Secretary concerned; provision of facilities for use by the Secretary concerned; base operating support services; and other services related to the activity that will occur on the property leased.

"(2) Any new construction accepted as in kind consideration shall not be subject to sections 2662 and 2802 of this title.

"(3) The Secretary concerned may not enter into a lease for which all or part of the consideration is the construction of new facilities with a value in excess of \$500,000 until after the expiration of 30 days from the date upon which a report of the facts concerning the lease is submitted to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

"(4) In kind consideration may be provided on any property or facilities under the control of the Secretary concerned, as determined by the Secretary."

(b) USE OF CASH PROCEEDS AND CONGRESSIONAL NOTIFICATION.--Section 2667(d) of such title 10 is amended--

(1) in subparagraph (1)(B)--

(A) by striking ", as provided in appropriation Acts, as follows:" and inserting in lieu thereof "for maintenance, protection, alteration, repair,

improvement, or restoration (including environmental restoration), of property or facilities under the control of the Secretary concerned; construction or acquisition of facilities for the Secretary concerned; lease of facilities for use by the Secretary concerned; or base operating support services."; and

(B) by inserting after clause (ii) the following new clause (iii):

"(iii) Section 2802 of title 10, United States Code, shall apply to the use of amounts in this account.";

(2) in clause (1)(B)(i)--

(A) by inserting "At least" immediately before "50 percent"; and

(B) by striking "for facility maintenance and repair or environmental restoration" ;

(3) in clause (1)(B)(ii), by striking "50 percent of such amount shall be available for facility maintenance and repair and for environmental restoration by the military department concerned." and inserting in lieu thereof "The Secretary concerned may not construct or acquire facilities with a value in excess of \$500,000 or lease facilities with an estimated annual rental in excess of \$500,000, until after the expiration of 30 days from the date upon which a report of the facts concerning the lease is submitted to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.";

(4) in paragraph (3)--

(A) by striking "As part of the request for authorizations of appropriations submitted" and inserting in lieu thereof "By March 15 of each fiscal year, the Secretary of Defense shall submit";

(B) by striking "National Security" and inserting in lieu thereof "Armed Services"; and

(C) by striking "for each fiscal year, the Secretary of Defense" and inserting

in lieu thereof ", a report which"; and

(5) in subparagraph (3)(A), by striking "request" and inserting in lieu thereof "report".

(c) ENVIRONMENTAL INDEMNIFICATION.--(1) Subsection (h) of such section 2667 of title 10 is redesignated as subsection (i); and

(2) such section 2667 is further amended by inserting after subsection (g) the following new subsection (h):

"(h)(1) Subject to paragraph (2), the Secretary concerned may enter into an agreement to hold harmless, defend, and indemnify in full any person or entity to whom the Secretary concerned leases real property under subsection (a) from and against any suit, claim, demand or action, liability, judgment, cost or other fee arising out of--

"(A) any claim for personal injury, property damage (including death, illness, or loss of or damage to property or economic loss), that results from, or is in any manner predicated upon, the release or threatened release of any hazardous substance, pollutant or contaminant, petroleum or petroleum derivative or unexploded ordnance as a result of Department of Defense activities on the military installation at which the leased property is located; and

"(B) any legally binding obligation to respond pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 or pursuant to any state law or other federal law that results from, or is in any manner predicated upon, the release or threatened release of any hazardous substance, pollutant or contaminant, petroleum or petroleum derivative or unexploded ordnance as a result of Department of Defense activities on the military installation at which the leased property is located.

"(2) Any agreement entered into pursuant to paragraph (1) shall provide--

"(A) that if, at the time of a claim for indemnification, less than 50 percent

of the release or threatened release of hazardous substances, pollutants or contaminants, petroleum or petroleum derivatives, or unexploded ordnance giving rise to the suit, claim, demand or action, liability, judgment, cost or other fee for which indemnification is demanded, is a result of Department of Defense activities, the indemnification authorized by paragraph (1) shall not apply; and

"(B) that if, at the time of a claim for indemnification, 50 percent or more of the release or threatened release of hazardous substances, pollutants or contaminants, petroleum or petroleum derivatives, or unexploded ordnance giving rise to the suit, claim, demand or action, liability, judgment, cost or other fee for which indemnification is demanded, is a result of Department of Defense activities, the indemnification authorized by paragraph (1) shall be reduced to the extent of the contribution to any such release or threatened release by any person or entity other than the Department of Defense.

"(3) No indemnification may be afforded under this subsection unless the person or entity making a claim for indemnification--

"(A) notifies the Secretary concerned in writing within two months of the filing of any suit, claim, demand, or action that reasonably could be expected to give rise to a liability, judgment, cost or other fee to which any such agreement entered into pursuant to paragraph (1) applies and at least one month prior to the settlement or other resolution of such suit, claim demand, or action;

"(B) furnishes to the Secretary concerned copies of pertinent papers the person or entity receives;

"(C) furnishes evidence or proof of any suit, claim, demand or action, liability, judgment, cost or other fee covered by this subsection;

"(D) provides, upon request by the Secretary concerned, access to the records and personnel of the entity for purposes of defending or settling any such

suit, claim, demand, or action; and

"(E) if the Secretary concerned chooses not to defend or settle any such suit, claim, demand, or action, the person or entity making a claim for indemnification notifies the Secretary concerned in writing within one month of any judgment, settlement, or other resolution of the suit, claim, demand, or action.

"(4)(A) In any case in which the Secretary concerned determines that the military department may be required to make indemnification payments to a person or entity under this subsection, the Secretary concerned may settle or defend, on behalf of that person or entity, the suit, claim, demand, or action that could give rise to such requirement.

"(B) In any case described in subparagraph (5)(A), if the person or entity to whom the military department may be required to make indemnification payments does not allow the Secretary concerned to settle or defend the claim, the person or entity may not be afforded indemnification with respect to that claim under this section.

"(5) Nothing in this subsection shall be construed as affecting or modifying in any way section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h))."

(d) PAY AS YOU GO SCORING.--(1) From the cash proceeds resulting from leases entered into under the authorities provided by this section, up to the following amounts shall be transferred to Miscellaneous Receipts in the Treasury:

(A) In FY 2000, \$22,700,000;

(B) In FY 2001, \$22,700,000;

(C) In FY 2002, \$22,700,000;

(D) In FY 2003, \$22,700,000; and

(E) In FY 2004, \$22,700,000

(2) The amounts provided in (d)(1) may be reduced only to the extent that new mandatory Department of Defense receipts are allocated for this purpose.

(e) DEFINITIONS.--Section 2667(i), as redesignated by subsection (c), is amended

(1) by inserting "(1)" immediately before "the term 'base closure law'";

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

(3) by inserting after paragraph (1) the following new paragraphs (2) and (3):

"(2) The terms 'facility', 'hazardous substance', 'release', and 'pollutant or contaminant' have the meanings given such terms under paragraphs (9), (14), (22), and (33) of section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, respectively (42 U.S.C. 9601 (9), (14), (22), and (33)).

"(3) The term 'military installation' has the meaning given such term under section 2687(e)(1) of this title."

Sectional Analysis

Section 2801. Real property transactions that are more than \$200,000 require a report to Congress and a 30 day waiting period prior to expending funds. This proposal would amend section 2662 to increase the threshold from \$200,000 to \$500,000. Updating the monetary amount of \$200,000 to \$500,000 for real property transactions brings this section in line with the limit on minor military construction. At one time the two limits were identical. However, when the minor military construction limit was increased, the real estate limits remained constant. The \$200,000 threshold unnecessarily restricts real property transactions and needs to be increased to \$500,000 to provide the Department greater discretion in this area.

Section 2802. The existing language does not reflect the most current project terminology being used to identify certain Army National Guard MILCON projects. Provisions in the Authorization and Appropriation Acts and the congressional reports accompanying those laws have more recently been using the term "readiness center" instead of the traditional term "armory." The term "readiness center" is a newer term that more clearly defines the purposes for which an armory is constructed and utilized. This amendment will ensure that the terms are treated as synonyms.

Section 2803. The Department of Defense recommends extending the Military Housing Privatization Initiative pilot program for an additional five years. In the first four years of the program, the Department has made tremendous progress determining how to financially and logistically make this program work. However, in terms of implementing specific projects, we are just getting started. The Department believes we will be able to reach our goal of privatizing at least 30,000 housing units by FY 2000, and thousands more throughout the next five years.

Although the Department does not believe it has learned enough to justify a request for permanent authority at this time, we believe it is important to request an extension on our temporary authority in order to give the private sector confidence in the future of the Military Housing Privatization Initiative program so that they will continue to work with us in our effort to quickly provide quality, affordable housing to our service members and their families.

Section 2804. Prior to privatization of military housing units, the host installation provides services to the housing units using funds from the Military Department's family housing appropriation. However, when existing units are privatized under the Military Housing Privatization Initiative (MHPI), the family housing appropriation is cut, because the owner of the privatized project is required to reimburse the Government for those services. However, amounts so reimbursed are deposited into the general treasury, rather than to the account from which the services provided was funded. This provision amends 10 U.S.C. 2872 to require that the reimbursement by the non-governmental entity for services provided by the government be credited to the account from which provision of such services was funded. This will correct an existing disincentive to privatization at the installation level.

Section 2805. The cost of real estate within a 30 minute commute of HQ Southern Command is escalating at an annualized rate of 5 percent which exceeds the CPI by 3.3 points. This upward trend is expected to continue and will cause the ceilings established in 10 U.S.C. 2828(b)(4) to be exceeded. This jeopardizes the 8 special leases in Miami, FL, because there is no authority to exceed the existing limits and ultimately may result in forced relocation of families due to lease terminations. Similar housing at lesser cost is not available and families would be forced to endure living expenses far above their allowances for suitable housing.

The proposal would amend section 2828(b)(4), added by Section 2803 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85). Currently, the section authorizes the Secretary of the Army to lease not more than eight housing units in the vicinity of Miami, Florida, for key and essential personnel, as designated by the Secretary, for the United States Southern Command for which the expenditure for the rental of such units may not exceed \$280,000 per year. No lease on any individual housing unit may exceed \$60,000.00 per year. This section would adjust the maximum amount provided for leases from the previous fiscal year by linking it to the annual percentage change (if any) in the Basic Allowance for Housing for the Miami Metropolitan area. Housing costs in Miami have been increasing dramatically and this trend is expected to continue. The increase will enable the Army to compete for moderately priced housing in this market.

Section 2806 would eliminate the existing limitations on space by pay grade and replace them with a general requirement to construct military family housing that is comparable to local standards. The restrictions on space limitations by pay grade are a continuation of prior public laws dating back to 1948. A study prepared by the National Association of Home Builders Research Center in 1990 found that military housing, by pay grade and bedroom count, was built to a different size than that built in the private sector. The imposition of an artificial military size specification prevents DOD from taking advantage of the off-the-shelf designs that builders routinely use for their private sector work. In all areas of acquisition, DOD is trying to increase its utilization of commercial specifications and military housing construction should not be an exception. To do otherwise prevents DOD from taking advantage of private sector economies of

scale and requires DOD to expend of unnecessary planning, design and construction resources to substitute its own specifications for those already existing in the private sector that should otherwise be perfectly acceptable. Congress recognized this by granting a five-year waiver to these limitations in 1996. This legislative proposal would institutionalize the Congressional intent to take advantage of private sector efficiencies.

Section 2807. Section 2811 of Public Law 101-189, authorized the Navy to sell lands at Marine Corps Air Station (MCAS) El Toro and use the proceeds from those sales for family housing at MCAS Tustin. Since enactment of that legislation, both El Toro and Tustin were designated for closure, and the assigned units realigned to MCAS Miramar, thereby eliminating the need for housing at MCAS Tustin. The relevant lands were sold and the funds from the transaction (\$4.56 million) were received during FY99. MCAS Miramar would like to use the \$4.56 million to address many facilities deficiencies resulting from the realignment. This legislation would allow use of the proceeds for construction and repair of roads, and development of Aerial Port of Embarkation facilities at MCAS Miramar.

Section 2808 would authorize the Army and Air Force Exchange Service (AAFES) to divest itself of real property it owns in Dallas, Texas, as part of its consolidation into one Headquarters building in Dallas, Texas. In addition, AAFES would be permitted to retain the nonappropriated funds derived from the divestiture since nonappropriated funds were initially used to acquire the property.

The Army and Air Force Exchange Service (AAFES). is a self-supporting nonappropriated fund instrumentality (NAFI) that receives no appropriations from Congress. It was established by the Army and the Air Force to provide for the Morel, Welfare, and Recreation (MWR) of its service members AAFES raises its money through the sale of goods and services, at a discount, to soldiers and airmen of the United States. AAFES uses its income and holds its assets for the benefit of the soldiers and airmen of the United States, either to continue to provide goods and services at uniformly low prices or to contribute to the MWR funds of the Army and the Air Force. It is unfortunate, but military pay alone is often insufficient to meet the needs of today's soldiers and airmen. The services provided by AAFES and the MWR community, funded in part by AAFES, help address this shortfall with such resources as day care centers and low cost retail establishments.

This section would authorize AAFES as a part of its consolidation into one Headquarters budding, to divest itself of real property it owns in Dallas, Texas, that it purchased and maintained solely with nonappropriated funds. Because of the unique character of the property involved (i.e. it was purchased with non-appropriated funds (NAF). it is owned by a NAFI, and ;t is not located on a military installation), the disposal would be exempt from both the Federal Property and Administrative Services Act arid the Stewart B. McKinney Homeless Assistance Act. If either of these Acts were to apply to the disposal of the AAFES building, the resources available for AAFES and the MWR community would be reduced, thereby limiting their ability to meet the needs of the soldiers and airmen of the United States.

It is the position of this Administration that Congressional Intent, expressed through the McKinney Act, is that all real property held by any landholding agency of the United States government must be made available to assist the homeless prior to disposition of that property by

that agency. Therefore, it is the policy of the Administration to oppose any statutory exemption of the disposal of any federal property from Title V of McKinney.

While it will continue to be the Administration's policy to object to any such exemptions the Administration is not unsympathetic to the unique circumstances presented by the Department of Defense as justification for the exemption of the property known as 2727 LBJ Freeway, Farmers Branch, TX held by the Army and Air Force Exchange Service. So long as the subject property satisfies the below-listed criteria, the Administration will not object to the extremely narrow and unique exemption of this property. The three criteria, all of which must be met are that the subject property is not located on any military base; that the title to the property is held by a NAFI and title is not vested in the Department of the Defense or any other military department and that no appropriated funds were used to acquire, construct, rehabilitate or improve the subject property. This consent to statutory exemption of this property should not be construed as setting a precedent for Administration approval of any subsequent exemptions.

Section 2809. Leasing has been a useful component of the Department's approach to reducing base operating support costs. Over the past 5 years, the Department has used the authority granted by Section 2667 of title 10, United States Code, to lease some of its non-excess but not fully utilized property. In return for permitting nonfederal entities to temporarily put its property to productive use, the Department has received cash and in-kind consideration that it applied to facility-related activities, such as maintenance, repair, and environmental restoration. Thus, the ability to lease non-excess but not fully utilized property under Section 2667 has been beneficial to the Department and has been in the public interest. However, Section 2667 has some limitations, that if removed would enable the Department to use its non-excess but not fully utilized property even more efficiently and effectively. The proposed legislation would amend Section 2667 in the following ways:

Use of cash proceeds without appropriations. The amendment would allow the Department to apply lease revenues to facility-related requirements without further appropriations.

Permit new construction with cash proceeds. The amendment would allow the Department to use cash proceeds from leases for construction or renovation of its infrastructure and facilities after congressional notification and wait. The amendment specifically provides that Section 2802 of title 10, United States Code, applies to the use of cash proceeds.

Clarify types of authorized in-kind consideration. The amendment would clarify that in-kind consideration may be applied at any military installation and that it may take the following forms: maintenance, protection, alteration, repair, improvement, or restoration of any property; construction of new facilities for the military departments; provision of facilities for use by the military departments; base operating support services; and other services related to the activity that will occur on the leased property.

Permit environmental indemnification.

The amendment would give the Department the authority to indemnify lessees of real property against liability in the event that contamination is discovered on leased property that was a result of military activities prior to the lease period.