

104TH CONGRESS
1ST SESSION

S. 1125

AN ACT

To authorize appropriations for fiscal year 1996 for military construction, and for other purposes.

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

3 **SEC. 2001. SHORT TITLE.**

4 This Act may be cited as the “Military Construction
5 Authorization Act for Fiscal Year 1996”.

1 SEC. 2002. TABLE OF CONTENTS.

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

Sec. 2001. Short title.

Sec. 2002. Table of contents.

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

Sec. 2102. Family housing.

Sec. 2103. Improvements to military family housing units.

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TITLE XXII—NAVY

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

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Sec. 2205. Revision of fiscal year 1995 authorization of appropriations to clarify availability of funds for Large Anechoic Chamber, Patuxent River Naval Warfare Center, Maryland.

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

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Sec. 2402. Military housing private investment.

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**TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION
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Sec. 2501. Authorized NATO construction and land acquisition projects.

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- Sec. 2601. Authorized Guard and Reserve construction and land acquisition projects.
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- Sec. 2702. Extension of authorizations of certain fiscal year 1993 projects.
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- Sec. 2808. Clarification of scope of report requirement on cost increases under contracts for military family housing construction.
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1 **SEC. 2001. SHORT TITLE.**

2 This division may be cited as the “Military Construc-
3 tion Authorization Act for Fiscal Year 1996”.

4 **TITLE XXI—ARMY**

5 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**
6 **ACQUISITION PROJECTS.**

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

Army: Inside the United States

State	Installation or Location	Amount
Arizona	Fort Huachuca	\$16,000,000
California	Fort Irwin	\$15,500,000
	Presidio of San Francisco	\$3,000,000
Colorado	Fort Carson	\$10,850,000
District of Columbia	Fort McNair	\$13,500,000
	Walter Reed Army Medical Center ..	\$4,300,000
Georgia	Fort Benning	\$37,900,000
	Fort Gordon	\$5,750,000
	Fort Stewart	\$8,400,000
Hawaii	Schofield Barracks	\$35,000,000
Kansas	Fort Riley	\$15,300,000
Kentucky	Fort Campbell	\$10,000,000
	Fort Knox	\$5,600,000
New York	Watervliet Arsenal	\$680,000
North Carolina	Fort Bragg	\$29,700,000
Oklahoma	Fort Sill	\$6,300,000

Army: Inside the United States—Continued

State	Installation or Location	Amount
South Carolina	Naval Weapons Station, Charleston .	\$25,700,000
	Fort Jackson	\$32,000,000
Texas	Fort Hood	\$32,500,000
	Fort Bliss	\$48,000,000
Virginia	Fort Eustis	\$16,400,000
Washington	Fort Lewis	\$32,100,000
CONUS Classified	Classified Location	\$1,900,000

1 (b) OUTSIDE THE UNITED STATES.—Using amount
2 appropriated pursuant to the authorization of appropria-
3 tions in section 2104(a)(2), the Secretary of the Army
4 may acquire real property and carry out military construc-
5 tion projects for the installations and locations outside of
6 the United States, and in the amounts, set forth in the
7 following table:

Army: Outside the United States

Country	Installation or Location	Amount
Korea	Camp Casey	\$4,150,000
	Camp Hovey	\$13,500,000
	Camp Pelham	\$5,600,000
	Camp Stanley	\$6,800,000
1	Yongsan	\$4,500,000
Overseas Classified	Classified Location	\$48,000,000
Worldwide	Host Nation Support	\$20,000,000

8 SEC. 2102. FAMILY HOUSING.

9 (a) CONSTRUCTION AND ACQUISITION.—Using
10 amounts appropriated pursuant to the authorization of ap-
11 propriations in section 2104(a)(5)(A), the Secretary of the
12 Army may construct or acquire family housing units (in-
13 cluding land acquisition) at the installations, for the pur-
14 poses, and in the amounts set forth in the following table:

Army: Family Housing

State	Installations	Purpose	Amount
Alaska	Fort Wainwright	Whole neighborhood revitalization.	\$7,300,000
New Mexico	White Sands Missile Range.	Whole neighborhood revitalization.	\$3,400,000
New York	United States Military Academy, West Point.	119 Units	\$16,500,000
Washington	Fort Lewis	84 Units	\$10,800,000

1 (b) PLANNING AND DESIGN.—Using amounts appro-
2 priated pursuant to the authorization of appropriations in
3 section 2104(a)(5)(A), the Secretary of the Army may
4 carry out architectural and engineering services and con-
5 struction design activities with respect to the construction
6 or improvement of family housing units in an amount not
7 to exceed \$2,340,000.

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

10 Subject to section 2825 of title 10, United States
11 Code, and using amounts appropriated pursuant to the
12 authorization of appropriations in sections 2104(a)(5)(A),
13 the Secretary of the Army may improve existing military
14 family housing units in an amount not to exceed
15 \$26,212,000.

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

17 (a) IN GENERAL.—Funds are hereby authorized to
18 be appropriated for fiscal years beginning after September
19 30, 1995, for military construction, land acquisition, and

1 military family housing functions of the Department of the
2 Army in the total amount of \$2,033,858,000 as follows:

3 (1) For military construction projects inside the
4 United States authorized by section 2101(a),
5 \$406,380,000.

6 (2) For military construction projects outside
7 the United States authorized by section 2101(b),
8 \$102,550,000.

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

12 (4) For architectural and engineering service
13 and construction design under section 2807 of title
14 10, United States Code, \$36,194,000.

15 (5) For military family housing functions:

16 (A) For construction and acquisition, plan-
17 ning and design, and improvement of military
18 family housing and facilities, \$66,552,000.

19 (B) For support of military family housing
20 (including the functions described in section
21 2833 of title 10, United States Code),
22 \$1,337,596,000.

23 (6) For the Homeowners Assistance Program
24 as authorized by section 2832 of title 10, United

1 States Code, \$75,586,000, to remain available until
2 expended.

3 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
4 PROJECTS.—Notwithstanding the cost variations author-
5 ized by section 2853 of title 10, United States Code, and
6 any other cost variation authorized by law, the total cost
7 of all projects carried out under section 2101 of this Act
8 may not exceed the total amount authorized to be appro-
9 priated under paragraphs (1) and (2) of subsection (a).

10 **SEC. 2105. REDUCTION IN AMOUNTS AUTHORIZED TO BE**
11 **APPROPRIATED FOR FISCAL YEAR 1992 MILI-**
12 **TARY CONSTRUCTION PROJECTS.**

13 Section 2105(a) of the Military Construction Author-
14 ization Act for Fiscal Year 1992 (division B of Public Law
15 102–190; 105 Stat. 1511), as amended by section
16 2105(b)(2)(A) of the Military Construction Authorization
17 Act for Fiscal Year 1994 (division B of Public Law 103–
18 160; 107 Stat. 1859), is further amended in the matter
19 preceding paragraph (1) by striking out
20 “\$2,571,974,000” and insert in lieu thereof
21 “\$2,565,729,000”.

TITLE XXII—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
California	Camp Pendleton Marine Corps Base	\$27,584,000
	China Lake Naval Air Warfare Center Weapons Division.	\$3,700,000
	Lemoore Naval Air Station	\$7,600,000
	North Island Naval Air Station	\$99,150,000
	Point Mugu Naval Air Warfare Center Weapons Division.	\$1,300,000
	San Diego Naval Command, Control, and Ocean Surveillance Center.	\$3,170,000
	San Diego Naval Station	\$19,960,000
	Twentynine Palms Marine Corps Air-Ground Combat Center.	\$2,490,000
Florida	Eglin Air Force Base, Naval School Explosive Ordnance Disposal.	\$16,150,000
	Pensacola Naval Technical Training Center, Corry Station.	\$2,565,000
	Kings Bay Strategic Weapons Facility, Atlantic.	\$2,450,000
Georgia		
Hawaii	Honolulu Naval Computer and Telecommunications Area, Master Station Eastern Pacific.	\$1,980,000
	Pearl Harbor Intelligence Center Pacific.	\$2,200,000
	Pearl Harbor Naval Submarine Base	\$22,500,000
Illinois	Great Lakes Naval Training Center	\$12,440,000
Maryland	United States Naval Academy	\$3,600,000
New Jersey	Lakehurst Naval Air Warfare Center Aircraft Division.	\$1,700,000
North Carolina	Camp LeJeune Marine Corps Base .	\$59,300,000
	Cherry Point Marine Corps Air Station.	\$11,430,000
	New River Marine Corps Air Station	\$14,650,000
South Carolina	Beaufort Marine Corps Air Station .	\$15,000,000
Virginia	Henderson Hall, Arlington	\$1,900,000
	Norfolk Naval Station	\$10,580,000

Navy: Inside the United States—Continued

State	Installation or Location	Amount
Washington	Portsmouth Naval Hospital	\$9,500,000
	Quantico Marine Corps Combat Development Command.	\$3,500,000
	Williamsburg Fleet and Industrial Supply Center.	\$8,390,000
	Yorktown Naval Weapons Station ...	\$1,300,000
	Bremerton Puget Sound Naval Shipyard.	\$19,870,000
West Virginia	Keyport Naval Undersea Warfare Center Division.	\$5,300,000
	Naval Security Group Detachment, Sugar Grove.	\$7,200,000
CONUS Classified	Classified location	\$1,200,000

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 installations and locations outside the
6 United States, and in the amounts, set forth in the follow-
7 ing table:

Navy: Outside the United States

Country	Installation or Location	Amount
Guam	Guam Navy Public Works Center	\$16,180,000
	Naval Computer and Telecommuni- cations Area, Master Station Western Pacific.	\$2,250,000
Italy	Naples Naval Support Activity	\$24,950,000
Puerto Rico	Sigonella Naval Air Station	\$12,170,000
	Roosevelt Roads Naval Station	\$11,500,000
	Sabana Seca Naval Security Group Activity.	\$2,200,000

8 **SEC. 2202. FAMILY HOUSING.**

9 (a) CONSTRUCTION AND ACQUISITION.—Using
10 amounts appropriated pursuant to the authorization of ap-
11 propriations in section 2204(a)(6)(A), the Secretary of the
12 Navy may construct or acquire family housing units (in-

cluding land acquisition) at the installations, for the purposes, and in the amounts set forth in the following table:

Navy: Family Housing

State/Country	Installation	Purpose	Amount
California	Camp Pendleton Marine Corps Base.	69 units	\$10,000,000
	Camp Pendleton Marine Corps Base.	Community Center.	\$1,438,000
	Camp Pendleton Marine Corps Base.	Housing Office	\$707,000
	Lemoore Naval Air Station.	240 units	\$34,900,000
	Point Mugu Pacific Missile Test Center.	Housing Office	\$1,020,000
	San Diego Public Works Center.	346 units	\$49,310,000
Hawaii	Oahu Naval Complex ..	252 units	\$48,400,000
Maryland	Patuxent River Naval Air Test Center.	Warehouse	\$890,000
	United States Naval Academy.	Housing Office	\$800,000
North Carolina	Cherry Point Marine Corps Air Station.	Community Center.	\$1,003,000
Pennsylvania	Mechanicsburg Navy Ships Parts Control Center.	Housing Office	\$300,000
Puerto Rico	Roosevelt Roads Naval Station.	Housing Office	\$710,000
Virginia	Dahlgren Naval Surface Warfare Center.	Housing Office	\$520,000
	Norfolk Public Works Center.	320 units	\$42,500,000
	Norfolk Public Works Center.	Housing Office	\$1,390,000
Washington	Bangor Naval Submarine Base.	141 units	\$4,890,000
West Virginia	Naval Security Group Detachment, Sugar Grove.	23 units	\$3,590,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriation in section 2204(a)(6)(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 \$24,390,000.

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 \$259,489,000.

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

10 (A) IN GENERAL.—Funds are hereby authorized to
11 be appropriated for fiscal years beginning after September
12 30, 1995, for military construction, land acquisition, and
13 military family housing functions of the Department of the
14 Navy in the total amount of \$2,077,459,000 as follows:

15 (1) For military construction projects inside the
16 United States authorized by section 2201(a),
17 \$399,659,000.

18 (2) For military construction projects outside
19 the United States authorized by section 2201(b),
20 \$69,250,000.

21 (3) For the military construction project at
22 Newport Naval War College, Rhode Island, author-
23 ized by section 2201(a) of the Military Construction
24 Authorization Act for Fiscal Year 1995 (division B
25 of Public Law 103–337; 108 Stat. 3031),
26 \$18,000,000.

1 (4) For unspecified minor construction projects
2 authorized by section 2805 of title 10, United States
3 Code, \$7,200,000.

4 (5) For architectural and engineering services
5 and construction design under section 2807 of title
6 10, United States Code, \$48,774,000.

7 (6) For military family housing functions:

8 (A) For construction and acquisition, plan-
9 ning and design, and improvement of military
10 family housing and facilities, \$486,247,000.

11 (B) For support of military housing (in-
12 cluding functions described in section 2833 of
13 title 10, United States Code), \$1,048,329,000.

14 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
15 PROJECTS.—Notwithstanding the cost variations author-
16 ized by section 2853 of title 10, United States Code, and
17 any other cost variation authorized by law, the total cost
18 of all projects carried out under section 2201 of this Act
19 may not exceed the total amount authorized to be appro-
20 priated under paragraphs (1) and (2) of subsection (a).

1 **SEC. 2205. REVISION OF FISCAL YEAR 1995 AUTHORIZATION**
2 **OF APPROPRIATIONS TO CLARIFY AVAIL-**
3 **ABILITY OF FUNDS FOR LARGE ANECHOIC**
4 **CHAMBER, PATUXENT RIVER NAVAL WAR-**
5 **FARE CENTER, MARYLAND.**

6 Section 2204(a) of the Military Construction Author-
7 ization Act for Fiscal Year 1995 (division B of Public Law
8 103-337; 108 Stat. 3033) is amended—

9 (1) in the matter preceding paragraph (1), by
10 striking out “\$1,591,824,000” and inserting in lieu
11 thereof “\$1,601,824,000” and

12 (2) in paragraph (1), by striking out
13 “\$309,070,000” and inserting in lieu thereof
14 “\$319,070,000”.

15 **SEC. 2206. AUTHORITY TO CARRY OUT LAND ACQUISITION**
16 **PROJECT, NORFOLK NAVAL BASE, VIRGINIA.**

17 (a) AUTHORIZATION.—The table in section 2201(a)
18 of the Military Construction Authorization Act for Fiscal
19 Year 1993 (division B of Public Law 102-484; 106 Stat.
20 2589) is amended—

21 (1) in the item relating to Damneck, Fleet
22 Combat Training Center, Virginia, by striking out
23 “\$19,427,000” in the amount column and inserting
24 in lieu thereof “\$14,927,000”; and

1 (2) by inserting after the item relating to Nor-
 2 folk, Naval Air Station, Virginia, the following new
 3 item:

	Norfolk, Naval Base	\$4,500,000
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4 (b) EXTENSION OF PROJECT AUTHORIZATION.—
 5 Notwithstanding section 2701(a) of the Military Construc-
 6 tion Authorization Act for Fiscal Year 1993 (106 Stat.
 7 2602), the authorization for the project for Norfolk Naval
 8 Base, Virginia, as provided in section 2201(a) of that Act,
 9 as amended by subsection (a), shall remain in effect until
 10 October 1, 1996, or the date of the enactment of an Act
 11 authorizing funds for military construction for fiscal year
 12 1997, whichever is later.

13 **SEC. 2207. ACQUISITION OF LAND, HENDERSON HALL, AR-**
 14 **LINGTON, VIRGINIA.**

15 (a) AUTHORITY TO ACQUIRE.—Using funds available
 16 under section 2201(a), the Secretary of the Navy may ac-
 17 quire all right, title, and interest of any party in and to
 18 a parcel of real property, including an abandoned mau-
 19 soleum, consisting of approximately 0.75 acres and located
 20 in Arlington, Virginia, the site of Henderson Hall.

21 (b) DEMOLITION OF MAUSOLEUM.—Using funds
 22 available under section 2201(a), the Secretary may—

23 (1) demolish the mausoleum located on the par-
 24 cel acquired under subsection (a); and

1 (2) provide for the removal and disposition in
2 an appropriate manner of the remains contained in
3 the mausoleum.

4 (c) AUTHORITY TO DESIGN PUBLIC WORKS FACIL-
5 ITY.—Using funds available under section 2201(a), the
6 Secretary may obtain architectural and engineering serv-
7 ices and construction design for a warehouse and office
8 facility for the Marine Corps to be constructed on the
9 property acquired under subsection (a).

10 (d) DESCRIPTION OF PROPERTY.—The exact acreage
11 and legal description of the real property authorized to
12 be acquired under subsection (a) shall be determined by
13 a survey that is satisfactory to the Secretary. The cost
14 of the survey shall be borne by the Secretary.

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

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(a)(1), the Secretary of the Air Force

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

Air Force: Inside the United States

State	Installation or Location	Amount
Alabama	Maxwell Air Force Base	\$5,200,000
Alaska	Eielson Air Force Base	\$7,850,000
	Elmendorf Air Force Base	\$9,100,000
	Tin City Long Range Radar Site	\$2,500,000
Arizona	Davis Monthan Air Force Base	\$4,800,000
	Luke Air Force Base	\$5,200,000
Arkansas	Little Rock Air Force Base	\$2,500,000
California	Beale Air Force Base	\$7,500,000
	Edwards Air Force Base	\$33,800,000
	Travis Air Force Base	\$26,700,000
	Vandenberg Air Force Base	\$6,000,000
Colorado	Buckley Air National Guard Base	\$5,500,000
	Peterson Air Force Base	\$4,390,000
	United States Air Force Academy ...	\$9,150,000
Delaware	Dover Air Force Base	\$5,500,000
District of Columbia	Bolling Air Force Base	\$12,100,000
Florida	Cape Canaveral Air Force Station ...	\$1,600,000
	Eglin Air Force Base	\$14,500,000
	Tyndall Air Force Base	\$1,200,000
Georgia	Moody Air Force Base	\$25,190,000
	Robins Air Force Base	\$17,900,000
Hawaii	Hickam Air Force Base	\$10,700,000
Idaho	Mountain Home Air Force Base	\$25,350,000
Illinois	Scott Air Force Base	\$12,700,000
Kansas	McConnell Air Force Base	\$9,450,000
Louisiana	Barksdale Air Force Base	\$2,500,000
Maryland	Andrews Air Force Base	\$12,886,000
Mississippi	Columbus Air Force Base	\$1,150,000
	Keesler Air Force Base	\$6,500,000
Missouri	Whiteman Air Force Base	\$24,600,000
Nevada	Nellis Air Force Base	\$20,050,000
New Jersey	McGuire Air Force Base	\$16,500,000
New Mexico	Cannon Air Force Base	\$10,420,000
	Holloman Air Force Base	\$6,000,000
	Kirtland Air Force Base	\$9,156,000
North Carolina	Pope Air Force Base	\$8,250,000
	Seymour Johnson Air Force Base ...	\$830,000
North Dakota	Grand Forks Air Force Base	\$14,800,000
	Minot Air Force Base	\$1,550,000
Ohio	Wright-Patterson Air Force Base	\$4,100,000
Oklahoma	Altus Air Force Base	\$4,800,000
	Tinker Air Force Base	\$16,500,000
South Carolina	Charleston Air Force Base	\$12,500,000
	Shaw Air Force Base	\$1,300,000
South Dakota	Ellsworth Air Force Base	\$7,800,000
Tennessee	Arnold Air Force Base	\$5,000,000
Texas	Dyess Air Force Base	\$5,400,000
	Kelly Air Force Base	\$3,244,000
	Laughlin Air Force Base	\$1,400,000
	Randolph Air Force Base	\$3,100,000
	Reese Air Force Base	\$1,200,000
	Sheppard Air Force Base	\$1,500,000
Utah	Hill Air Force Base	\$12,600,000

Air Force: Inside the United States—Continued

State	Installation or Location	Amount
Virginia	Langley Air Force Base	\$1,000,000
Washington	Fairchild Air Force Base	\$7,500,000
	McChord Air Force Base	\$9,900,000
Wyoming	F.E. Warren Air Force Base	\$9,000,000
CONUS Classified	Classified Location	\$700,000

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

Air Force: Outside the United States

Country	Installation or Location	Amount
Germany	Spangdahlem Air Base	\$8,380,000
	Vogelweh Annex	\$2,600,000
Greece	Araxos Radio Relay Site	\$1,950,000
Italy	Aviano Air Base	\$2,350,000
	Gheddi Radio Relay Site	\$1,450,000
Turkey	Ankara Air Station	\$7,000,000
	Incirlik Air Base	\$4,500,000
United Kingdom	Royal Air Force Lakenheath	\$1,820,000
	Royal Air Force Mildenhall	\$2,250,000
Outside the United States	Classified Location—Outside the United States.	\$17,100,000

8 **SEC. 2302. FAMILY HOUSING.**

9 (a) CONSTRUCTION AND ACQUISITION.—Using
10 amounts appropriated pursuant to the authorization of ap-
11 propriations in section 2304(a)(5)(A), the Secretary of the
12 Air Force may construct or acquire family housing units
13 (including land acquisition) at the installations, for the
14 purposes, and in the amounts set forth in the following
15 table:

Air Force: Family Housing

State/Country	Installation	Purpose	Amount
Alaska	Elmendorf Air Force Base.	Housing Office/Maintenance Facility.	\$3,000,000
Arizona	Davis Monthan Air Force Base.	80 units	\$9,498,000
Arkansas	Little Rock Air Force Base.	Replace 1 General Officer Quarters.	\$210,000
California	Beale Air Force Base ..	Family Housing Office.	\$842,000
	Edwards Air Force Base.	67 units	\$11,350,000
	Vandenberg Air Force Base.	Family Housing Office.	\$900,000
	Vandenberg Air Force Base.	143 units	\$20,200,000
Colorado	Peterson Air Force Base.	Family Housing Office.	\$570,000
District of Columbia	Bolling Air Force Base	32 units	\$4,100,000
Florida	Eglin Air Force Base ..	Family Housing Office.	\$500,000
	Eglin Auxiliary Field 9	Family Housing Office/Maintenance Facility.	\$880,000
	MacDill Air Force Base.	Family Housing Office.	\$646,000
	Patrick Air Force Base	70 units	\$7,947,000
Georgia	Tyndall Air Force Base	52 units	\$5,500,000
	Moody Air Force Base	2 Officer and 1 General Officer Quarters.	\$513,000
	Robins Air Force Base	83 units	\$9,800,000
Idaho	Mountain Home Air Force Base.	Housing Management Facility.	\$844,000
Kansas	McConnell Air Force Base.	39 units	\$5,193,000
Louisiana	Barksdale Air Force Base.	62 units	\$10,299,000
Massachusetts	Hanscom Air Force Base.	32 units	\$5,200,000
Mississippi	Keesler Air Force Base	98 units	\$9,300,000
Missouri	Whiteman Air Force Base.	72 units	\$9,948,000
Nevada	Nellis Air Force Base ..	6 units	\$1,357,000
New Mexico	Nellis Air Force Base ..	57 units	\$6,000,000
	Holloman Air Force Base.	1 General Officer Quarters.	\$225,000
	Kirtland Air Force Base.	105 units	\$11,000,000
North Carolina	Pope Air Force Base ...	104 units	\$9,984,000
	Seymour Johnson Air Force Base.	1 General Officer Quarters.	\$204,000
Ohio	Wright-Patterson Air Force Base.	66 units	\$5,900,000
South Carolina	Shaw Air Force Base ..	Housing Maintenance Facility.	\$715,000
Texas	Dyess Air Force Base .	Housing Maintenance Facility.	\$580,000

Air Force: Family Housing—Continued

State/Country	Installation	Purpose	Amount
	Lackland Air Force Base.	67 units	\$6,200,000
	Sheppard Air Force Base.	Family Housing Office.	\$500,000
	Sheppard Air Force Base.	Housing Maintenance Facility.	\$600,000
Washington	McChord Air Force Base.	50 units	\$9,504,000
Guam	Andersen Air Force Base.	Family Housing Office.	\$1,700,000
Turkey	Incirlik Air Base	150 units	\$10,146,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(5)(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 \$9,039,000.

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)(5)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed \$97,071,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September

1 30, 1995, for military construction, land acquisition, and
2 military family housing functions of the Department of the
3 Air Force in the total amount of \$1,740,704,000 as fol-
4 lows:

5 (1) For military construction projects inside the
6 United States authorized by section 2301(a),
7 \$510,116,000.

8 (2) For military construction projects outside
9 the United States authorized by section 2301(b),
10 \$49,400,000.

11 (3) For unspecified minor construction projects
12 authorized by section 2805 of title 10, United States
13 Code, \$9,030,000.

14 (4) For architectural and engineering services
15 and construction design under section 2807 of title
16 10, United States Code, \$34,980,000.

17 (5) For military housing functions:

18 (A) For construction and acquisition, plan-
19 ning and design, and improvement of military
20 family housing and facilities, \$287,965,000.

21 (B) For support of military family housing
22 (including the functions described in section
23 2833 of title 10, United States Code),
24 \$849,213,000.

1 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
2 PROJECTS.—Notwithstanding the cost variations author-
3 ized by section 2853 of title 10, United States Code, and
4 any other cost variation authorized by law, the total cost
5 of all projects carried out under section 2301 of this Act
6 may not exceed the total amount authorized to be appro-
7 priated under paragraphs (1) and (2) of subsection (a).

8 **SEC. 2305. REDUCTION IN AMOUNTS AUTHORIZED TO BE**
9 **APPROPRIATED FOR FISCAL YEAR 1992 MILI-**
10 **TARY CONSTRUCTION PROJECTS.**

11 Section 2305(a) of the Military Construction Author-
12 ization Act for Fiscal Year 1992 (division B of Public Law
13 102–190; 105 Stat. 1525), as amended by section
14 2308(a)(2)(A) of the Military Construction Authorization
15 Act for Fiscal Year 1993 (division B of Public Law 102–
16 484; 106 Stat. 2598) and by section 2305(a)(3)(A) of the
17 Military Construction Authorization Act for Fiscal Year
18 1994 (division B of Public Law 103–160; 107 Stat. 1871),
19 is further amended in the matter preceding paragraph (1)
20 by striking out “\$2,033,833,000” and inserting in lieu
21 thereof “\$2,017,828,000”.

TITLE XXIV—DEFENSE AGENCIES

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

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to 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
Ballistic Missile Defense Organization:	Fort Bliss, Texas	\$13,600,000
Defense Finance & Accounting Service:	Columbus Center, Ohio	\$72,403,000
Defense Intelligence Agency:	Bolling Air Force Base, District of Columbia	\$1,743,000
Defense Logistics Agency:	Defense Distribution Anniston, Alabama	\$3,550,000
	Defense Distribution Stockton, California	\$15,000,000
	Defense Fuel Supply Center, Point Mugu, California	\$750,000
	Defense Fuel Supply Center, Dover Air Force Base, Delaware	\$15,554,000
	Defense Fuel Supply Center, Eglin Air Force Base, Florida	\$2,400,000
	Defense Fuel Supply Center, Barksdale Air Force Base, Louisiana	\$13,100,000
	Defense Fuel Supply Center, McGuire Air Force Base, New Jersey	\$12,000,000
	Defense Distribution Depot, New Cumberland, Pennsylvania	\$4,600,000
	Defense Distribution Depot, Norfolk, Virginia	\$10,400,000
Defense Mapping Agency:	Defense Mapping Agency Aerospace Center, Missouri	\$40,300,000
Defense Medical Facility Office:	Maxwell Air Force Base, Alabama ...	\$10,000,000

Defense Agencies: Inside the United States—Continued

Agency	Installation Or Location	Amount
National Security Agency: Office of the Secretary of Defense: Department of Defense Dependents Schools: Special Operations Command:	Luke Air Force Base, Arizona	\$8,100,000
	Fort Irwin, California	\$6,900,000
	Marine Corps Base, Camp Pendleton, California	\$1,700,000
	Vandenberg Air Force Base, California	\$5,700,000
	Dover Air Force Base, Delaware	\$4,400,000
	Fort Benning, Georgia	\$5,600,000
	Barksdale Air Force Base, Louisiana	\$4,100,000
	Bethesda Naval Hospital, Maryland	\$1,300,000
	Walter Reed Army Institute of Research, Maryland	\$1,550,000
	Fort Hood, Texas	\$5,500,000
	Lackland Air Force Base, Texas	\$6,100,000
	Reese Air Force Base, Texas	\$1,000,000
	Northwest Naval Security Group Activity, Virginia	\$4,300,000
	Fort Meade, Maryland	\$18,733,000
	Classified Location Inside the United States	\$11,500,000
	Maxwell Air Force Base, Alabama	\$5,479,000
	Fort Benning, Georgia	\$1,116,000
	Fort Jackson, South Carolina	\$576,000
	Marine Corps Air Station, Camp Pendleton, California	\$5,200,000
	Eglin Air Force Base, Florida	\$2,400,000
	Eglin Auxiliary Field 9, Florida	\$14,150,000
	Fort Bragg, North Carolina	\$9,400,000
	Olmstead Field, Harrisburg International Airport, Pennsylvania	\$1,643,000
	Damneck, Virginia	\$4,500,000
	Naval Amphibious Base, Little Creek, Virginia	\$6,100,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to section 2405(a)(2), the Sec-
3 retary of Defense may acquire real property and carry out
4 military construction projects for the installations and lo-
5 cations outside the United States, and in the amounts, set
6 forth in the following table:

Defense Agencies: Outside the United States

Agency	Installation or Location	Amount
Defense Logistics Agency:		

Defense Agencies: Outside the United States—Continued

Agency	Installation or Location	Amount
Defense Medical Facility Office:	Defense Fuel Support Point, Roosevelt Roads, Puerto Rico	\$6,200,000
	Defense Fuel Supply Center, Rota, Spain	\$7,400,000
Department of Defense Dependents Schools:	Naval Support Activity, Naples, Italy	\$5,000,000
	Ramstein Air Force Base, Germany	\$19,205,000
National Security Agency:	Naval Air Station, Sigonella, Italy ...	\$7,595,000
	Menwith Hill Station, United Kingdom	\$677,000
Special Operations Command:	Naval Station, Guam	\$8,800,000

1 **SEC. 2402. MILITARY HOUSING PRIVATE INVESTMENT.**

2 (a) AVAILABILITY OF FUNDS FOR INVESTMENT.—Of
3 the amount authorized to be appropriated pursuant to sec-
4 tion 2405(a)(11)(A) of this Act, \$22,000,000 shall be
5 available for crediting to the Department of Defense
6 Housing Improvement Fund established by section 2883
7 of title 10, United States Code (as added by section 2811
8 of this Act).

9 (b) USE OF FUNDS.—Notwithstanding section
10 2883(c)(2) of title 10, United States Code (as so added),
11 the Secretary of Defense may use funds credited to the
12 Department of Defense Housing Improvement Fund
13 under subsection (a) to carry out any activities authorized
14 by subchapter IV of chapter 169 of such title (as so
15 added).

1 **SEC. 2403. 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 appropriation in section 2405(a)(11)(A),
6 the Secretary of Defense may improve existing military
7 family housing units in an amount not to exceed
8 \$3,772,000.

9 **SEC. 2404. ENERGY CONSERVATION PROJECTS.**

10 Using amounts appropriated pursuant to the author-
11 ization of appropriations in section 2405(a)(9), the Sec-
12 retary of Defense may carry out energy conservation
13 projects under section 2865 of title 10, United States
14 Code.

15 **SEC. 2405. AUTHORIZATION OF APPROPRIATIONS, DE-**
16 **FENSE AGENCIES.**

17 (a) IN GENERAL.—Funds are hereby authorized to
18 be appropriated for fiscal years beginning after September
19 30, 1995, for military construction, land acquisition, and
20 military family housing functions of the Department of
21 Defense (other than the military departments), in the total
22 amount of \$4,493,583,000 as follows:

23 (1) For military construction projects inside the
24 United States authorized by section 2401(a),
25 \$317,444,000.

1 (2) For military construction projects outside
2 the United States authorized by section 2401(b),
3 \$54,877,000.

4 (3) For military construction projects at Ports-
5 mouth Naval Hospital, Virginia, authorized by sec-
6 tion 2401(a) of the Military Construction Authoriza-
7 tion Act for Fiscal Years 1990 and 1991 (division
8 B of Public Law 101-189; 103 Stat. 1640),
9 \$47,900,000.

10 (4) For military construction projects at
11 Elmendorf Air Force Base, Alaska, hospital replace-
12 ment, authorized by section 2401(a) of the Military
13 Construction Authorization Act for Fiscal Year 1993
14 (division B of Public Law 102-484; 106 Stat.
15 2599), \$28,100,000.

16 (5) For military construction projects at Walter
17 Reed Army Institute of Research, Maryland, author-
18 ized by section 2401(a) of the Military Construction
19 Authorization Act for Fiscal Year 1993 (division B
20 of Public Law 102-484; 106 Stat. 2599),
21 \$27,000,000.

22 (6) For unspecified minor construction projects
23 under section 2805 of title 10, United States Code,
24 \$23,007,000.

1 (7) For contingency construction projects of the
2 Secretary of Defense under section 2804 of title 10,
3 United States Code, \$11,037,000.

4 (8) For architectural and engineering services
5 and construction design under section 2807 of title
6 10, United States Code, \$68,837,000.

7 (9) For energy conservation projects authorized
8 by section 2404, \$50,000,000.

9 (10) For base closure and realignment activities
10 as authorized by the Defense Base Closure and Re-
11 alignment Act of 1990 (part A of title XXIX of
12 Public Law 101-510; 10 U.S.C. 2687 note),
13 \$3,799,192,000.

14 (11) For military family housing functions:

15 (A) For construction and acquisition and
16 improvement of military family housing and fa-
17 cilities, \$25,772,000.

18 (B) For support of military housing (in-
19 cluding functions described in section 2833 of
20 title 10, United States Code), \$30,467,000, of
21 which not more than \$24,874,000 may be obli-
22 gated or expended for the leasing of military
23 family housing units worldwide.

24 (b) LIMITATION OF TOTAL COST OF CONSTRUCTION
25 PROJECTS.—Notwithstanding the cost variation author-

1 ized by section 2853 of title 10, United States Code, and
 2 any other cost variations authorized by law, the total cost
 3 of all projects carried out under section 2401 of this Act
 4 may not exceed—

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

8 (2) \$35,003,000 (the balance of the amount au-
 9 thorized under section 2401(a) for the construction
 10 of the Defense Finance and Accounting Service, Co-
 11 lumbus Center, Ohio).

12 **SEC. 2406. MODIFICATION OF AUTHORITY TO CARRY OUT**
 13 **FISCAL YEAR 1995 PROJECTS.**

14 The table in section 2401 of the Military Construc-
 15 tion Authorization Act for Fiscal Year 1995 (division B
 16 of the Public Law 103–337; 108 Stat. 3040) is amend-
 17 ed—

18 (1) in the item relating to Pine Bluff Arsenal,
 19 Arkansas, by striking out “\$3,000,000” in the
 20 amount column and inserting in lieu thereof
 21 “\$97,000,000”; and

22 (2) in the item relating to Umatilla Army
 23 Depot, Oregon, by striking out “\$12,000,000” in
 24 the amount column and inserting in lieu thereof
 25 “\$179,000,000”.

1 **SEC. 2407. REDUCTION IN AMOUNTS AUTHORIZED TO BE**
2 **APPROPRIATED FOR PRIOR YEAR MILITARY**
3 **CONSTRUCTION PROJECTS.**

4 (a) FISCAL YEAR 1991 AUTHORIZATIONS.—Section
5 2405(a) of the Military Construction Authorization Act
6 for Fiscal Year 1991 (division B of Public Law 101–510;
7 104 Stat. 1779), as amended by section 2409(b)(1) of the
8 Military Construction Authorization Act for Fiscal Year
9 1992 (division B of Public Law 102–190; 105 Stat. 1991),
10 is further amended in the matter preceding paragraph (1)
11 by striking out “\$1,644,478,000” and inserting in lieu
12 thereof “\$1,641,244,000”.

13 (b) FISCAL YEAR 1992 AUTHORIZATIONS.—Section
14 2404(a) of the Military Construction Authorization Act
15 for Fiscal Year 1992 (105 Stat. 1531), as amended by
16 section 2404(b)(1)(A) of the Military Construction Au-
17 thorization Act for Fiscal Year 1994 (division B of Public
18 Law 103–160; 107 Stat. 1877), is further amended in the
19 matter preceding paragraph (1) by striking out
20 “\$1,665,440,000” and inserting in lieu thereof
21 “\$1,658,640,000”.

22 (c) FISCAL YEAR 1993 AUTHORIZATIONS.—Section
23 2403(a) of the Military Construction Authorization Act
24 for Fiscal Year 1993 (division B of Public Law 102–484;
25 106 Stat. 2600) is amended in the matter preceding para-

1 graph (1) by striking out “\$2,567,146,000” and inserting
2 in lieu thereof “\$2,558,556,000”.

3 **TITLE XXV—NORTH ATLANTIC**
4 **TREATY ORGANIZATION IN-**
5 **FRAS**TRUCTURE

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

8 The Secretary of Defense may make contributions for
9 the North Atlantic Treaty Organization Infrastructure
10 Program as provided in section 2806 of title 10, United
11 States Code, in an amount not to exceed the sum of the
12 amount authorized to be appropriated for this purpose in
13 section 2502 and the amount collected from the North At-
14 lantic Treaty Organization as a result of construction pre-
15 viously financed by the United States.

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

17 Funds are hereby authorized to be appropriated for
18 fiscal years beginning after September 30, 1995, for con-
19 tributions by the Secretary of Defense under section 2806
20 of title 10, United States Code, for the share of the United
21 States of the cost of projects for the North Atlantic Treaty
22 Organization Infrastructure Program, as authorized by
23 section 2501, in the amount of \$179,000,000.

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

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

There are authorized to be appropriated for fiscal years beginning after September 30, 1995, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefore, under chapter 133 of title 10, United State 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, \$148,589,000; and

(B) for the Army Reserve, \$79,895,000.

(2) For the Department of the Navy, for the Naval and Marine Corps Reserve, \$7,920,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, \$167,503,000; and

(B) for the Air Force Reserve, \$35,132,000.

1 **SEC. 2602. REDUCTION IN AMOUNT AUTHORIZED TO BE AP-**
2 **PROPRIATED FOR FISCAL YEAR 1994 AIR NA-**
3 **TIONAL GUARD PROJECTS.**

4 Section 2601(3)(A) of the Military Construction Au-
5 thorization Act for Fiscal Year 1994 (division B of Public
6 Law 103–160; 107 Stat. 1878) is amended by striking
7 out “\$236,341,000” and inserting in lieu thereof
8 “\$229,641,000”.

9 **TITLE XXVII—EXPIRATION AND**
10 **EXTENSION OF AUTHORIZA-**
11 **TIONS**

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

15 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE
16 YEARS.—Except as provided in subsection (b), all author-
17 izations contained in titles XXI through XXVI for military
18 construction projects, land acquisition, family housing
19 projects and facilities, and contributions to the North At-
20 lantic Treaty Organization Infrastructure program (and
21 authorizations of appropriations therefore) shall expire on
22 the later of—

23 (1) October 1, 1998; or

24 (2) the date of the enactment of an Act author-
25 izing funds for military construction for fiscal year
26 1999.

1 (b) EXCEPTION.—Subsection (a) shall not apply to
2 authorizations for military construction projects, land ac-
3 quisition, family housing projects and facilities, and con-
4 tributions to the North Atlantic Treaty Organization In-
5 frastructure program (and authorizations of appropria-
6 tions therefor), for which appropriated funds have been
7 obligated before the later of—

8 (1) October 1, 1998; or

9 (2) the date of the enactment of an Act author-
10 izing funds for fiscal year 1999 for military con-
11 struction projects, land acquisition, family housing
12 projects and facilities, or contributions to the North
13 Atlantic Treaty Organization Infrastructure pro-
14 gram.

15 **SEC. 2702. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
16 **FISCAL YEAR 1993 PROJECTS.**

17 (a) EXTENSIONS.—Notwithstanding section 2701 of
18 the Military Construction Authorization Act for Fiscal
19 Year 1993 (division B of Public Law 102–484; 106 Stat.
20 2602), authorizations for the projects set forth in the ta-
21 bles in subsection (b), as provided in section 2101, 2102,
22 2103, or 2106 of that Act, shall remain in effect until
23 October 1, 1996, or the date of the enactment of an Act
24 authorizing funds for military construction for fiscal year
25 1997, whichever is later.

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

Army: Extension of 1993 Project Authorizations

State	Installation or Location	Project	Amount
Arkansas	Pine Bluff Arsenal	Ammunition Demilitarization Support Facility.	\$15,000,000
Hawaii	Schofield Barracks	Add/Alter Sewage Treatment Plant.	\$17,500,000
Virginia	Fort Picket	Family Housing (26 units).	\$2,300,000

Navy: Extension of 1993 Project Authorizations

State	Installation or Location	Project	Amount
California	Camp Pendleton Marine Corps Base.	Sewage Treatment Plant Modifications.	\$19,740,000
Maryland	Patuxent River Naval Warfare Center.	Large Anechoic Chamber, Phase I.	\$60,990,000
Mississippi	Meridian Naval Air Station.	Child Development Center.	\$1,100,000

Air Force: Extension of 1993 Project Authorizations

State	Installation or Location	Project	Amount
Arkansas	Little Rock Air Force Base.	Fire Training Facility.	\$710,000
District of Columbia	Bolling Air Force Base	Civil Engineer Complex.	\$9,400,000
Mississippi	Keesler Air Force Base	Alter Student Dormitory.	\$3,100,000
Nebraska	Offut Air Force Base ..	Fire Training Facility.	\$840,000
North Carolina	Pope Air Force Base ...	Construct Bridge Road and Utilities.	\$4,000,000
	Pope Air Force Base ...	Munitions Storage Complex.	\$4,300,000
South Carolina	Shaw Air Force Base ..	Fire Training Facility.	\$680,000
Virginia	Langley Air Force Base.	Base Engineer Complex.	\$5,300,000
Guam	Andersen Air Base	Landfill	\$10,000,000
Portugal	Lajes Field	Water Wells	\$865,000
	Lajes Field	Fire Training Facility.	\$950,000

Army Reserve: Extension of 1993 Project Authorizations

State	Installation or Location	Project	Amount
West Virginia	Bluefield	United States Army Reserve Center.	\$1,921,000
	Clarksburg	United States Army Reserve Center.	\$5,358,000
	Grantville	United States Army Reserve Center.	\$2,785,000
	Jane Lew	United States Army Reserve Center.	\$1,566,000
	Lewisburg	United States Army Reserve Center.	\$1,631,000
	Weirton	United States Army Reserve Center.	\$3,481,000

Army National Guard: Extension of 1993 Project Authorizations

State	Installation or Location	Project	Amount
Alabama	Tuscaloosa	Armory	\$2,273,000
	Union Springs	Armory	\$813,000
California	Los Alamitos Armed Forces Reserve Center.	Fuel Facility ...	\$1,553,000
New Jersey	Fort Dix	State Headquarters.	\$4,750,000
Oregon	La Grande	Organizational Maintenance Shop.	\$1,220,000
	La Grande	Armory Addition.	\$3,049,000
Rhode Island	North Kingston	Add/Alter Armory.	\$3,330,000

1 **SEC. 2703. EXTENSION OF AUTHORIZATIONS OF CERTAIN**
2 **FISCAL YEAR 1992 PROJECTS.**

3 (a) EXTENSIONS.—Notwithstanding section 2701 of
4 the Military Construction Authorization Act for Fiscal
5 Year 1992 (division B of Public Law 102–190; 105 Stat.
6 1535), authorizations for the projects set forth in the ta-
7 bles in subsection (b), as provided in section 2101 or 2601
8 of that Act, and extended by section 2702 of the Military

1 Construction Authorization Act for Fiscal Year 1995 (di-
 2 vision B of Public Law 103–337; 108 Stat. 3047), shall
 3 remain in effect until October 1, 1996, or the date of the
 4 enactment of an Act authorizing funds for military con-
 5 struction for fiscal year 1997, whichever is later.

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

Army: Extension of 1992 Project Authorizations

State	Installation or Location	Project	Amount
Oregon	Umatilla Army Depot .	Ammunition Demilitarization Support Facility.	\$3,600,000
	Umatilla Army Depot ..	Ammunition Demilitarization Utilities.	\$7,500,000

Army National Guard: Extension of 1992 Project Authorization

State	Installation or Location	Project	Amount
Ohio	Toledo	Armory	\$3,183,000

Army Reserve: Extension of 1992 Project Authorization

State	Installation or Location	Project	Amount
Tennessee	Jackson	Joint Training Facility.	\$1,537,000

8 **SEC. 2704. EFFECTIVE DATE.**

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

11 (1) October 1, 1995; or

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

1 **TITLE XXVIII—GENERAL**
2 **PROVISIONS**
3 **Subtitle A—Military Construction**
4 **Program and Military Family**
5 **Housing Changes**

6 **SEC. 2801. SPECIAL THRESHOLD FOR UNSPECIFIED MINOR**
7 **CONSTRUCTION PROJECTS TO CORRECT**
8 **LIFE, HEALTH, OR SAFETY DEFICIENCIES.**

9 (a) SPECIAL THRESHOLD.—Section 2805 of title 10,
10 United States Code, is amended—

11 (1) in subsection (a)(1), by adding at the end
12 the following new sentence: “However, if the military
13 construction project is intended solely to correct a
14 life-, health-, or safety-threatening deficiency, a
15 minor military construction project may have an ap-
16 proved cost equal to or less than \$3,000,000.”; and

17 (2) in subsection (c)(1), by striking out “not
18 more than \$300,000.” and inserting in lieu thereof
19 “not more than—

20 “(A) \$1,000,000, in the case of an unspecified
21 military construction project intended solely to cor-
22 rect a life-, health-, or safety-threatening deficiency;
23 or

24 “(B) \$300,000, in the case of other unspecified
25 military construction projects.”.

1 (b) TECHNICAL AMENDMENT.—Section 2861(b)(6)
2 of such title is amended by striking out “section
3 2805(a)(2)” and inserting in lieu thereof “section
4 2805(a)(1)”.

5 **SEC. 2802. CLARIFICATION OF SCOPE OF UNSPECIFIED**
6 **MINOR CONSTRUCTION AUTHORITY.**

7 Section 2805(a)(1) of title 10, United States Code,
8 as amended by section 2801 of this Act, is further amend-
9 ed by striking out “(1) that is for a single undertaking
10 at a military installation, and (2)” in the second sentence.

11 **SEC. 2803. TEMPORARY WAIVER OF NET FLOOR AREA LIM-**
12 **ITATION FOR FAMILY HOUSING ACQUIRED IN**
13 **LIEU OF CONSTRUCTION.**

14 Section 2824(c) of title 10, United States Code, is
15 amended by adding at the end the following sentence:
16 “The limitation set forth in the preceding sentence does
17 not apply to family housing units acquired under this sec-
18 tion during the 5-year period beginning on the date of the
19 enactment of the National Defense Authorization Act for
20 Fiscal Year 1996.”.

1 **SEC. 2804. REESTABLISHMENT OF AUTHORITY TO WAIVE**
2 **NET FLOOR AREA LIMITATION ON ACQUISI-**
3 **TION BY PURCHASE OF CERTAIN MILITARY**
4 **FAMILY HOUSING.**

5 (a) REESTABLISHMENT.—Section 2826(e) of title 10,
6 United States Code, is amended by striking out the second
7 sentence.

8 (b) APPLICABILITY.—The Secretary concerned may
9 exercise the authority provided in section 2826(e) of title
10 10, United States Code, as amended by subsection (a),
11 on or after the date of the enactment of this Act.

12 (c) DEFINITION.—In this section, the term “Sec-
13 retary concerned” has the meaning given such term in sec-
14 tion 101(a)(9) of title 10, United States Code, and in-
15 cludes the meaning given such term in section 2801(b)(3)
16 of such title.

17 **SEC. 2805. TEMPORARY WAIVER OF LIMITATIONS ON SPACE**
18 **BY PAY GRADE FOR MILITARY FAMILY HOUS-**
19 **ING UNITS.**

20 Section 2826 of title 10, United States Code, as
21 amended by section 2804 of this Act, is further amended
22 by adding at the end the following:

23 “(i)(1) This section does not apply to the construc-
24 tion, acquisition, or improvement of military family hous-
25 ing units during the 5-year period beginning on October
26 1, 1995.

1 “(2) The total number of military family housing
 2 units constructed, acquired, or improved during any fiscal
 3 year in the period referred to in paragraph (1) shall be
 4 the total number of such units authorized by law for that
 5 fiscal year.”.

6 **SEC. 2806. INCREASE IN NUMBER OF FAMILY HOUSING**
 7 **UNITS SUBJECT TO FOREIGN COUNTRY MAXI-**
 8 **MUM LEASE AMOUNT.**

9 (a) INCREASE IN NUMBER.—(1) Paragraph (1) of
 10 section 2828(e) of title 10, United States Code, is amend-
 11 ed by striking out “300 units” in the first sentence and
 12 inserting in lieu thereof “450 units”.

13 (2) Paragraph (2) of such section is amended by
 14 striking out “300 units” and inserting in lieu thereof “450
 15 units”.

16 (b) WAIVER FOR UNITS FOR INCUMBENTS OF SPE-
 17 CIAL POSITIONS AND OTHER PERSONNEL.—Paragraph
 18 (1) of such section is further amended by striking out
 19 “220 such units” in the second sentence and inserting in
 20 lieu thereof “350 such units”.

21 **SEC. 2807. EXPANSION OF AUTHORITY FOR LIMITED PART-**
 22 **NERSHIPS FOR DEVELOPMENT OF MILITARY**
 23 **FAMILY HOUSING.**

24 (a) PARTICIPATION OF OTHER MILITARY DEPART-
 25 MENTS.—(1) Subsection (a)(1) of section 2837 of title 10,

1 United States Code, is amended by striking out “of the
2 naval service” and inserting in lieu thereof “of the Army,
3 Navy, Air Force, and Marine Corps”.

4 (2) Subsection (b)(1) of such section is amended by
5 striking out “of the naval service” and inserting in lieu
6 thereof “of the military department under the jurisdiction
7 of such Secretary”.

8 (b) ADMINISTRATION.—(1) Such subsection (a)(1) is
9 further amended by striking out “the Secretary of the
10 Navy” in the first sentence and inserting in lieu thereof
11 “the Secretary of a military department”.

12 (2) Subsection (c)(2) of such section is amended by
13 striking out “the Secretary shall” in the first sentence and
14 inserting in lieu thereof “the Secretary of the military de-
15 partment concerned shall”.

16 (3) Subsection (f) of such section is amended by
17 striking out “the Secretary carries out” and inserting in
18 lieu thereof “the Secretary of a military department car-
19 ries out”.

20 (4) Subsection (g) of such section is amended by
21 striking out “Secretary,” and inserting in lieu thereof
22 “Secretary of a military department,”.

23 (c) ACCOUNT.—Subsection (d) of such section is
24 amended to read as follows:

1 “(d) ACCOUNT.—(1) There is hereby established on
2 the books of the Treasury an account to be known as the
3 ‘Defense Housing Investment Account’.

4 “(2) There shall be deposited into the account—

5 “(A) such funds as may be authorized for and
6 appropriated to the account;

7 “(B) any proceeds received by the Secretary of
8 a military department from the repayment of invest-
9 ments or profits on investments of the Secretary
10 under subsection (a); and

11 “(C) any unobligated balances which remain in
12 the Navy Housing Investment Account as of the
13 date of the enactment of the National Defense Au-
14 thorization Act for Fiscal Year 1996.

15 “(3) From such amounts as is provided in advance
16 in appropriation Acts, funds in the account shall be avail-
17 able to the Secretaries of the military departments in
18 amounts determined by the Secretary of Defense for con-
19 tracts, investments, and expenses necessary for the imple-
20 mentation of this section.

21 “(4) The Secretary of a military department may not
22 enter into a contract in connection with a limited partner-
23 ship under subsection (a) or a collateral incentive agree-
24 ment under subsection (b) unless a sufficient amount of
25 the unobligated balance of the funds in the account is

1 available to the Secretary, as of the time the contract is
 2 entered into, to satisfy the total obligations to be incurred
 3 by the United States under the contract.”.

4 (d) TERMINATION OF NAVY HOUSING INVESTMENT
 5 BOARD.—Such section is further amended—

6 (1) by striking out subsection (e); and

7 (2) in subsection (h)—

8 (A) by striking out “(1)”; and

9 (B) by striking out paragraph (2).

10 (e) EXTENSION OF AUTHORITY.—Subsection (h) of
 11 such section, as amended by subsection (d) of this section,
 12 is further amended by striking out “September 30, 1999”
 13 and inserting in lieu thereof “September 30, 2000”.

14 (f) CONFORMING AMENDMENT.—Subsection (g) of
 15 such section is further amended by striking out “NAVY”
 16 in the subsection caption.

17 **SEC. 2808. CLARIFICATION OF SCOPE OF REPORT RE-**
 18 **QUIREMENT ON COST INCREASES UNDER**
 19 **CONTRACTS FOR MILITARY FAMILY HOUSING**
 20 **CONSTRUCTION.**

21 Subsection (d) of section 2853 of title 10, United
 22 States Code, is amended to read as follows:

23 “(d) The limitation on cost increases in subsection
 24 (a) does not apply to—

1 “(1) the settlement of a contractor claim under
2 a contract; or

3 “(2) a within-scope modification to a contract,
4 but only if—

5 “(A) the increase in cost is approved by
6 the Secretary concerned; and

7 “(B) the Secretary concerned promptly
8 submits written notification of the facts relating
9 to the proposed increase in cost to the appro-
10 priate committees of Congress.”.

11 **SEC. 2809. AUTHORITY TO CONVEY DAMAGED OR DETERIO-**
12 **RATED MILITARY FAMILY HOUSING.**

13 (a) AUTHORITY.—(1) Subchapter III of chapter 169
14 of title 10, United States Code, is amended by inserting
15 after section 2854 the following new section:

16 **“§ 2854a. Conveyance of damaged or deteriorated**
17 **military family housing; use of proceeds**

18 “(a) AUTHORITY TO CONVEY.—(1) Subject to para-
19 graph (3), the Secretary concerned may convey any family
20 housing facility, including family housing facilities located
21 in the United States and family housing facilities located
22 outside the United States, that, due to damage or deterio-
23 ration, is in a condition that is uneconomical to repair.
24 Any conveyance of a family housing facility under this sec-

1 tion may include a conveyance of the real property associ-
2 ated with the facility conveyed.

3 “(2) The authority of this section does not apply to
4 family housing facilities located at military installations
5 approved for closure under a base closure law or family
6 housing facilities located at installation outside the United
7 States at which the Secretary of Defense terminates oper-
8 ations.

9 “(3) The aggregate total value of the family housing
10 facilities conveyed by the Department of Defense under
11 the authority in this subsection in any fiscal year may not
12 exceed \$5,000,000.

13 “(4) For purposes of this subsection, a family hous-
14 ing facility is in a condition that is uneconomical to repair
15 if the cost of the necessary repairs for the facility would
16 exceed the amount equal to 70 percent of the cost of con-
17 structing a family housing facility to replace such facility.

18 “(b) CONSIDERATION.—(1) As consideration for the
19 conveyance of a family housing facility under subsection
20 (a), the person to whom the facility is conveyed shall pay
21 the United States an amount equal to the fair market
22 value of the facility conveyed, including any real property
23 conveyed along with the facility.

24 “(2) The Secretary concerned shall determine the fair
25 market value of any family housing facility and associated

1 real property that is conveyed under subsection (a). Such
2 determinations shall be final.

3 “(c) NOTICE AND WAIT REQUIREMENTS.—The Sec-
4 retary concerned may not enter into an agreement to con-
5 vey a family housing facility under this section until—

6 “(1) the Secretary submits to the appropriate
7 committees of Congress, in writing, a justification
8 for the conveyance under the agreement, including—

9 “(A) an estimate of the consideration to be
10 provided the United States under the agree-
11 ment;

12 “(B) an estimate of the cost of repairing
13 the family housing facility to be conveyed; and

14 “(C) an estimate of the cost of replacing
15 the family housing facility to be conveyed; and

16 “(2) a period of 21 calendar days has elapsed
17 after the date on which the justification is received
18 by the committees.

19 “(d) INAPPLICABILITY OF CERTAIN PROPERTY DIS-
20 POSAL LAWS.—The following provisions of law do not
21 apply to the conveyance of a family housing facility under
22 this section:

23 “(1) The provisions of the Federal Property
24 and Administrative Services Act of 1949 (40 U.S.C.
25 471 et seq.).

1 “(2) The provisions of the Stewart B. McKin-
2 ney Homeless Assistance Act (42 U.S.C. 11301 et
3 seq.).

4 “(e) USE OF PROCEEDS.—(1) The proceeds of any
5 conveyance of a family housing facility under this section
6 shall be credited to the Department of Defense Military
7 Housing Improvement Fund established under section
8 2883 of this title and available for the purposes described
9 in paragraph (2).

10 “(2) The proceeds of a conveyance of a family hous-
11 ing facility under this section may be used for the follow-
12 ing purposes:

13 “(A) To construct family housing units to re-
14 place the family housing facility conveyed under this
15 section, but only to the extent that the number of
16 units constructed with such proceeds does not exceed
17 the number of units of military family housing of the
18 facility conveyed.

19 “(B) To repair or restore existing military fam-
20 ily housing.

21 “(C) To reimburse the Secretary concerned for
22 the costs incurred by the Secretary in conveying the
23 family housing facility.

24 “(3) Notwithstanding section 2883(c) of this title,
25 proceeds in the account under this subsection shall be

1 available under paragraph (1) for purposes described in
 2 paragraph (2) without any further appropriation.

3 “(f) DESCRIPTION OF PROPERTY.—The exact acre-
 4 age and legal description of any family housing facility
 5 conveyed under this section, including any real property
 6 associated with such facility, shall be determined by such
 7 means as the Secretary concerned considers satisfactory,
 8 including by survey in the case of real property.

9 “(g) ADDITIONAL TERMS AND CONDITIONS.—The
 10 Secretary concerned may require such additional terms
 11 and conditions in connection with the conveyance of family
 12 housing facilities under this section as the Secretary con-
 13 siders appropriate to protect the interests of the United
 14 States.”.

15 (2) The table of sections at the beginning of such sub-
 16 chapter is amended by inserting after the item relating
 17 to section 2854 the following new item:

“Sec. 2854a. Conveyance of damaged or deteriorated military family housing;
 use of proceeds.”.

18 (b) CONFORMING AMENDMENT.—Section 204(h) of
 19 the Federal Property and Administrative Services Act
 20 1949 (40 U.S.C. 485(h)) is amended—

21 (1) by redesignating paragraph (4) as para-
 22 graph (5); and

23 (2) by inserting after paragraph (3) the follow-
 24 ing new paragraph (4):

1 “(4) This subsection does not apply to family housing
2 facilities covered by section 2854a of title 10, United
3 States Code.”.

4 **SEC. 2810. ENERGY AND WATER CONSERVATION SAVINGS**
5 **FOR THE DEPARTMENT OF DEFENSE.**

6 (a) INCLUSION OF WATER EFFICIENT MAINTENANCE
7 IN ENERGY PERFORMANCE PLAN.—Paragraph (3) of sec-
8 tion 2865(a) of title 10, United States Code, is amended
9 by striking out “energy efficient maintenance” and insert-
10 ing in lieu thereof “energy efficient maintenance or water
11 efficient maintenance”.

12 (b) SCOPE OF TERM.—Paragraph (4) of such section
13 is amended—

14 (1) in the matter preceding subparagraph (A),
15 by striking out “‘energy efficient maintenance’” and
16 inserting in lieu thereof “‘energy efficient mainte-
17 nance or water efficient maintenance’”;

18 (2) in subparagraph (A), by striking out “sys-
19 tems or industrial processes,” in the matter preced-
20 ing clause (i) and inserting in lieu thereof “systems,
21 industrial processes, or water efficiency applica-
22 tions,”; and

23 (3) in subparagraph (B), by inserting “or water
24 cost savings” before the period at the end.

1 **SEC. 2811. ALTERNATIVE AUTHORITY FOR CONSTRUCTION**
 2 **AND IMPROVEMENT OF MILITARY HOUSING.**

3 (a) ALTERNATIVE AUTHORITY TO CONSTRUCT AND
 4 IMPROVE MILITARY HOUSING.—(1) Chapter 169 of title
 5 10, United States Code, is amended by adding at the end
 6 the following:

7 “SUBCHAPTER IV—ALTERNATIVE AUTHORITY
 8 FOR ACQUISITION AND IMPROVEMENT OF
 9 MILITARY HOUSING

“Sec.

“2871. Definitions.

“2872. General authority.

“2873. Direct loans and loan guarantees.

“2874. Leasing of housing to be constructed.

“2875. Investments in nongovernmental entities.

“2876. Rental guarantees.

“2877. Differential lease payments.

“2878. Conveyance or lease of existing property and facilities.

“2879. Interim leases.

“2880. Unit size and type.

“2881. Support facilities.

“2882. Assignment of members of the armed forces to housing units.

“2883. Department of Defense Housing Improvement Fund.

“2884. Reports.

“2885. Expiration of authority.

10 **“§ 2871. Definitions**

11 “In this subchapter:

12 “(1) The term ‘base closure law’ means the fol-
 13 lowing:

14 “(A) Section 2687 of this title.

15 “(B) Title II of the Defense Authorization
 16 Amendments and Base Closure and Realign-
 17 ment Act (Public Law 100–526; 10 U.S.C.
 18 2687 note).

1 “(C) The Defense Base Closure and Re-
2 alignment Act of 1990 (part A of title XXIX of
3 Public Law 101–510; 10 U.S.C. 2687 note).

4 “(2) The term ‘Secretary concerned’ includes
5 the Secretary of Defense.

6 “(3) The term ‘support facilities’ means facili-
7 ties relating to military housing units, including
8 child care centers, day care centers, community cen-
9 ters, housing offices, maintenance complexes, dining
10 facilities, unit offices, fitness centers, parks, and
11 other similar facilities for the support of military
12 housing.

13 **“§ 2872. General authority**

14 “In addition to any other authority provided under
15 this chapter for the acquisition, construction, or improve-
16 ment of military family housing or military unaccom-
17 panied housing, the Secretary concerned may exercise any
18 authority or any combination of authorities provided
19 under this subchapter in order to provide for the acquisi-
20 tion, construction, improvement, or rehabilitation by pri-
21 vate persons of the following:

22 “(1) Family housing units on or near military
23 installations within the United States and its terri-
24 tories and possessions.

1 “(2) Unaccompanied housing units on or near
2 such military installations.

3 **“§ 2873. Direct loans and loan guarantees**

4 “(a) DIRECT LOANS.—(1) Subject to subsection (c),
5 the Secretary concerned may make direct loans to persons
6 in the private sector in order to provide funds to such per-
7 sons for the acquisition, construction, improvement, or re-
8 habilitation of housing units that the Secretary determines
9 are suitable for use as military family housing or as mili-
10 tary unaccompanied housing.

11 “(2) The Secretary concerned shall establish such
12 terms and conditions with respect to loans made under
13 this subsection as the Secretary considers appropriate to
14 protect the interests of the United States, including the
15 period and frequency for repayment of such loans and the
16 obligations of the obligors on such loans upon default.

17 “(b) LOAN GUARANTEES.—(1) Subject to subsection
18 (c), the Secretary concerned may guarantee a loan made
19 to any person in the private sector if the proceeds of the
20 loan are to be used by the person to acquire, construct,
21 improve, or rehabilitate housing units that the Secretary
22 determines are suitable for use as military family housing
23 or as military unaccompanied housing.

1 “(2) The amount of a guarantee on a loan that may
2 be provided under paragraph (1) may not exceed the
3 amount equal to the lesser of—

4 “(A) the amount equal to 80 percent of the
5 value of the project; or

6 “(B) the amount of the outstanding principal of
7 the loan.

8 “(3) The Secretary concerned shall establish such
9 terms and conditions with respect to guarantees of loans
10 under this subsection as the Secretary considers appro-
11 priate to protect the interests of the United States, includ-
12 ing the rights and obligations of obligors of such loans
13 and the rights and obligations of the United States with
14 respect to such guarantees.

15 “(c) LIMITATION ON DIRECT LOAN AND GUARANTEE
16 AUTHORITY.—Direct loans and loan guarantees may be
17 made under this section only to the extent that appropria-
18 tions of budget authority to cover their cost (as defined
19 in section 502(5) of the Federal Credit Reform Act of
20 1990 (2 U.S.C. 661a(5)) are made in advance, or author-
21 ity is otherwise provided in appropriations Acts. If such
22 appropriation or other authority is provided, there may be
23 established a financing account (as defined in section
24 502(7) of such Act (2 U.S.C. 661a(7)) which shall be
25 available for the disbursement of direct loans or payment

1 of claims for payment on loan guarantees under this sec-
2 tion and for all other cash flows to and from the Govern-
3 ment as a result of direct loans and guarantees made
4 under this section.

5 **“§ 2874. Leasing of housing to be constructed**

6 “(a) BUILD AND LEASE AUTHORIZED.—The Sec-
7 retary concerned may enter into contracts for the lease
8 of family housing units or unaccompanied housing units
9 to be constructed, improved, or rehabilitated under this
10 subchapter.

11 “(b) LEASE TERMS.—A contract under this section
12 may be for any period that the Secretary concerned deter-
13 mines appropriate.

14 **“§ 2875. Investments in nongovernmental entities**

15 “(a) INVESTMENTS AUTHORIZED.—The Secretary
16 concerned may make investments in nongovernmental en-
17 tities carrying out projects for the acquisition, construc-
18 tion, improvement, or rehabilitation of housing units suit-
19 able for use as military family housing or as military unac-
20 companied housing.

21 “(b) FORMS OF INVESTMENT.—An investment under
22 this section may take the form of a direct investment by
23 the United States, an acquisition of a limited partnership
24 interest by the United States, a purchase of stock or other
25 equity instruments by the United States, a purchase of

1 bonds or other debt instruments by the United States, or
2 any combination of such forms of investment.

3 “(c) LIMITATION ON VALUE OF INVESTMENT.—(1)
4 The cash amount of an investment under this section in
5 a nongovernmental entity may not exceed an amount equal
6 to 35 percent of the capital cost (as determined by the
7 Secretary concerned) of the project or projects that the
8 entity proposes to carry out under this section with the
9 investment.

10 “(2) If the Secretary concerned conveys land or facili-
11 ties to a nongovernmental entity as all or part of an invest-
12 ment in the entity under this section, the total value of
13 the investment by the Secretary under this section may
14 not exceed an amount equal to 45 percent of the capital
15 cost (as determined by the Secretary) of the project or
16 projects that the entity proposes to carry out under this
17 section with the investment.

18 “(3) In this subsection, the term ‘capital cost’, with
19 respect to a project for the acquisition, construction, im-
20 provement, or rehabilitation of housing, means the total
21 amount of the costs included in the basis of the housing
22 for Federal income tax purposes.

23 “(d) COLLATERAL INCENTIVE AGREEMENTS.—The
24 Secretary concerned may enter into collateral incentive
25 agreements with nongovernmental entities in which the

1 Secretary makes an investment under this section to en-
2 sure that a suitable preference will be afforded members
3 of the armed forces in the lease or purchase, as the case
4 may be, of a reasonable number of the housing units cov-
5 ered by the investment.

6 **“§ 2876. Rental guarantees**

7 “The Secretary concerned may enter into agreements
8 with private persons that acquire, construct, improve, or
9 rehabilitate family housing units or unaccompanied hous-
10 ing units under this subchapter in order to assure—

11 “(1) the occupancy of such units at levels speci-
12 fied in the agreements; or

13 “(2) rental income derived from rental of such
14 units at levels specified in the agreements.

15 **“§ 2877. Differential lease payments**

16 “The Secretary concerned, pursuant to an agreement
17 entered into by the Secretary and a private lessor of family
18 housing or unaccompanied housing to members of the
19 armed forces, may pay the lessor an amount in addition
20 to the rental payments for the housing made by the mem-
21 bers as the Secretary determines appropriate to encourage
22 the lessor to make the housing available to members of
23 the armed forces as family housing or as unaccompanied
24 housing.

1 **“§ 2878. Conveyance or lease of existing property and**
2 **facilities**

3 “(a) CONVEYANCE OR LEASE AUTHORIZED.—The
4 Secretary concerned may convey or lease property or facili-
5 ties (including support facilities) to private persons for
6 purposes of using the proceeds of such conveyance or lease
7 to carry out activities under this subchapter.

8 “(b) INAPPLICABILITY TO PROPERTY AT INSTALLA-
9 TION APPROVED FOR CLOSURE.—The authority of this
10 section does not apply to property or facilities located on
11 or near a military installation approved for closure under
12 a base closure law.

13 “(c) TERMS AND CONDITIONS.—(1) The conveyance
14 or lease of property or facilities under this section shall
15 be for such consideration and upon such terms and condi-
16 tions as the Secretary concerned considers appropriate for
17 the purposes of this subchapter and to protect the inter-
18 ests of the United States.

19 “(2) As part or all of the consideration for a convey-
20 ance or lease under this section, the purchaser or lessor
21 (as the case may be) may enter into an agreement with
22 the Secretary to ensure that a suitable preference will be
23 afforded members of the armed forces in the lease or sub-
24 lease of a reasonable number of the housing units covered
25 by the conveyance or lease, as the case may be, or in the

1 lease of other suitable housing units made available by the
2 purchaser or lessee.

3 “(d) INAPPLICABILITY OF CERTAIN PROPERTY MAN-
4 AGEMENT LAWS.—The conveyance or lease of property or
5 facilities under this section shall not be subject to the fol-
6 lowing provisions of law:

7 “(1) Section 2667 of this title.

8 “(2) The Federal Property and Administrative
9 Services Act of 1949 (40 U.S.C. 471 et seq.).

10 “(3) Section 321 of the Act of June 30, 1932
11 (commonly known as the Economy Act) (47 Stat.
12 412, chapter 314; 40 U.S.C. 303b).

13 “(4) The Stewart B. McKinney Homeless As-
14 sistance Act (42 U.S.C. 11301 et seq.).

15 **“§ 2879. Interim leases**

16 “Pending completion of a project to acquire, con-
17 struct, improve, or rehabilitate family housing units or un-
18 accompanied housing units under this subchapter, the Sec-
19 retary concerned may provide for the interim lease of such
20 units of the project as are complete. The term of a lease
21 under this section may not extend beyond the date of the
22 completion of the project concerned.

23 **“§ 2880. Unit size and type**

24 “(a) CONFORMITY WITH SIMILAR HOUSING UNITS IN
25 LOCALE.—The Secretary concerned shall ensure that the

1 room patterns and floor areas of family housing units and
2 unaccompanied housing units acquired, constructed, im-
3 proved, or rehabilitated under this subchapter are gen-
4 erally comparable to the room patterns and floor areas of
5 similar housing units in the locality concerned.

6 “(b) INAPPLICABILITY OF LIMITATIONS ON SPACE
7 BY PAY GRADE.—(1) Section 2826 of this title does not
8 apply to family housing units acquired, constructed, im-
9 proved, or rehabilitated under this subchapter.

10 “(2) The regulations prescribed under section 2856
11 of this title do not apply to unaccompanied housing units
12 acquired, constructed, improved, or rehabilitated under
13 this subchapter.

14 **“§ 2881. Support facilities**

15 “Any project for the acquisition, construction, im-
16 provement, or rehabilitation of family housing units or un-
17 accompanied housing units under this subchapter may in-
18 clude the acquisition, construction, or improvement of sup-
19 port facilities for the housing units concerned.

20 **“§ 2882. Assignment of members of the armed forces**
21 **to housing units**

22 “(a) IN GENERAL.—The Secretary concerned may
23 assign members of the armed forces to housing units ac-
24 quired, constructed, improved, or rehabilitated under this
25 subchapter.

1 “(b) EFFECT OF CERTAIN ASSIGNMENTS ON ENTI-
2 TLEMENT TO HOUSING ALLOWANCES.—(1) Except as
3 provided in paragraph (2), housing referred to in sub-
4 section (a) shall be considered as quarters of the United
5 States or a housing facility under the jurisdiction of a uni-
6 formed service for purposes of section 403(b) of title 37.

7 “(2) A member of the armed forces who is assigned
8 in accordance with subsection (a) to a housing unit not
9 owned or leased by the United States shall be entitled to
10 a basic allowance for quarters under section 403 of title
11 37 and, if in a high housing cost area, a variable housing
12 allowance under section 403a of that title.

13 “(c) LEASE PAYMENTS THROUGH PAY ALLOT-
14 MENTS.—The Secretary concerned may require members
15 of the armed forces who lease housing in housing units
16 acquired, constructed, improved, or rehabilitated under
17 this subchapter to make lease payments for such housing
18 pursuant to allotments of the pay of such members under
19 section 701 of title 37.

20 **“§ 2883. Department of Defense Housing Improve-**
21 **ment Fund**

22 “(a) ESTABLISHMENT.—There is hereby established
23 on the books of the Treasury an account to be known as
24 the Department of Defense Housing Improvement Fund

1 (in this section referred to as the ‘Fund’). The Secretary
2 of Defense shall administer the Fund as a single account.

3 “(b) CREDITS TO FUND.—There shall be credited to
4 the Fund the following:

5 “(1) Funds appropriated to the Fund.

6 “(2) Any funds that the Secretary of Defense
7 may, to the extent provided in appropriations Acts,
8 transfer to the Fund from funds appropriated to the
9 Department of Defense for family housing, except
10 that such funds may be transferred only after the
11 Secretary of Defense transmits written notice of,
12 and justification for, such transfer to the appro-
13 priate committees of Congress.

14 “(3) Any funds that the Secretary of Defense
15 may, to the extent provided in appropriations Acts,
16 transfer to the Fund from funds appropriated to the
17 Department of Defense for military unaccompanied
18 housing or for the operation and maintenance of
19 military unaccompanied housing, except that such
20 funds may be transferred only after the Secretary of
21 Defense transmits written notice of, and justification
22 for, such transfer to the appropriate committees of
23 Congress.

24 “(4) Proceeds from the conveyance or lease of
25 property or facilities under section 2878 of this title.

1 “(5) Income from any activities under this sub-
2 chapter, including interest on loans made under sec-
3 tion 2873 of this title, income and gains realized
4 from investments under section 2875 of this title,
5 and any return of capital invested as part of such
6 investments.

7 “(c) USE OF FUNDS.—(1) To the extent provided in
8 appropriations Acts and except as provided in paragraphs
9 (2) and (3), the Secretary of Defense may use amounts
10 in the Fund to carry out activities under this subchapter
11 (including activities required in connection with the plan-
12 ning, execution, and administration of contracts or agree-
13 ments entered into under the authority of this subchapter)
14 and may transfer funds to the Secretaries of the military
15 departments to permit such Secretaries to carry out such
16 activities.

17 “(2)(A) Funds in the fund that are derived from ap-
18 propriations or transfers of funds for military family hous-
19 ing, or from income from activities under this subchapter
20 with respect to such housing, may be used in accordance
21 with paragraph (1) only to carry out activities under this
22 subchapter with respect to military family housing.

23 “(B) Funds in the fund that are derived from appro-
24 priations or transfers of funds for military unaccompanied
25 housing, or from income from activities under this sub-

1 chapter with respect to such housing, may be used in ac-
2 cordance with paragraph (1) only to carry out activities
3 under this subchapter with respect to military unaccom-
4 panied housing.

5 “(3) The Secretary may not enter into a contract or
6 agreement to carry out activities under this subchapter
7 unless the Fund contains sufficient amounts, as of the
8 time the contract or agreement is entered into, to satisfy
9 the total obligations to be incurred by the United States
10 under the contract or agreement.

11 “(d) LIMITATION ON AMOUNT OF BUDGET AUTHOR-
12 ITY.—The total value in budget authority of all contracts,
13 agreements, and investments undertaken using the au-
14 thorities provided in this subchapter shall not exceed
15 \$1,000,000,000.

16 **“§ 2884. Reports**

17 “(a) PROJECT REPORTS.—The Secretary of Defense
18 shall transmit to the appropriate committees of Congress
19 a report on each contract or agreement for a project for
20 the acquisition, construction, improvement, or rehabilita-
21 tion of family housing units or unaccompanied housing
22 units that the Secretary proposes to solicit under this sub-
23 chapter. The report shall describe the project and the in-
24 tended method of participation of the United States in the

1 project and provide a justification of such method of par-
2 ticipation.

3 “(b) ANNUAL REPORTS.—The Secretary of Defense
4 shall include each year in the materials that the Secretary
5 submits to Congress in support of the budget submitted
6 by the President pursuant to section 1105 of title 31 the
7 following:

8 “(1) A report on the expenditures and receipts
9 during the preceding fiscal year from the Depart-
10 ment of Defense Housing Improvement Fund estab-
11 lished under section 2883 of this title.

12 “(2) A methodology for evaluating the extent
13 and effectiveness of the use of the authorities under
14 this subchapter during such preceding fiscal year.

15 “(3) A description of the objectives of the De-
16 partment of Defense for providing military family
17 housing and military unaccompanied housing for
18 members of the armed forces.

19 **“§ 2885. Expiration of authority**

20 “The authority to enter into a transaction under this
21 subchapter shall expire 5 years after the date of the enact-
22 ment of the National Defense Authorization Act for Fiscal
23 Year 1996.”.

1 (2) The table of subchapters at the beginning of such
 2 chapter is amended by inserting after the item relating
 3 to subchapter III the following new item:

“IV. Alternative Authority for Acquisition and Improvement of Military
 Housing 2870”.

4 (b) FINAL REPORT.—Not later than March 1, 2000,
 5 the Secretary of Defense shall submit to the congressional
 6 defense committees a report on the use by the Secretary
 7 of Defense and the Secretaries of the military departments
 8 of the authorities provided by subchapter IV of chapter
 9 169 of title 10, United States Code, as added by sub-
 10 section (a). The report shall assess the effectiveness of
 11 such authority in providing for the construction and im-
 12 provement of military family housing and military unac-
 13 companied housing.

14 (c) CROSS REFERENCE AMENDMENT.—(1) Chapter
 15 169 of title 10, United States Code, is further amended
 16 by inserting after section 2822 the following new section:

17 **“§ 2822a. Additional authority relating to military**
 18 **housing**

19 “For additional authority regarding the acquisition,
 20 construction, or improvement of military family housing
 21 and military unaccompanied housing, see subchapter IV
 22 of this chapter.”.

1 (2) The table of sections at the beginning of sub-
2 chapter II of such chapter is amended by inserting after
3 the item relating to section 2822 the following new item:

“2822a. Additional authority relating to military housing.”.

4 **SEC. 2812. PERMANENT AUTHORITY TO ENTER INTO**
5 **LEASES OF LAND FOR SPECIAL OPERATIONS**
6 **ACTIVITIES.**

7 (a) PERMANENT AUTHORITY.—Section 2680 of title
8 10, United States Code, is amended by striking out sub-
9 section (d).

10 (b) REPORTING REQUIREMENT.—Such section is fur-
11 ther amended by adding at the end the following new sub-
12 section (d):

13 “(d) REPORTS.—Not later than March 1 of each
14 year, the Secretary of Defense shall submit to the Com-
15 mittee on the Armed Services of the Senate and the Com-
16 mittee on National Security of the House of Representa-
17 tives a report that—

18 “(1) identifies each leasehold interest acquired
19 during the previous fiscal year under subsection (a);
20 and

21 “(2) contains a discussion of each project for
22 the construction or modification of facilities carried
23 out pursuant to subsection (c) during such fiscal
24 year.”.

1 **SEC. 2813. AUTHORITY TO USE FUNDS FOR CERTAIN EDU-**
 2 **CATIONAL PURPOSES.**

3 Section 2008 of title 10, United States Code, is
 4 amended by striking out “section 10” and all that follows
 5 through the period at the end and inserting in lieu thereof
 6 “construction, as defined in section 8013(3) of the Ele-
 7 mentary and Secondary Education Act of 1965 (20 U.S.C.
 8 7713(3)), or to carry out section 8008 of such Act (20
 9 U.S.C. 7708), relating to impact aid.”.

10 **Subtitle B—Defense Base Closure**
 11 **and Realignment**

12 **SEC. 2821. IN-KIND CONSIDERATION FOR LEASES AT IN-**
 13 **STALLATIONS TO BE CLOSED OR REALIGNED.**

14 Section 2667(f) of title 10, United States Code, is
 15 amended by adding at the end the following:

16 “(4) The Secretary concerned may accept under sub-
 17 section (b)(5) services of a lessee for an entire installation
 18 to be closed or realigned under a base closure law, or for
 19 any part of such installation, without regard to the re-
 20 quirement in subsection (b)(5) that a substantial part of
 21 the installation be leased.”.

22 **SEC. 2822. CLARIFICATION OF AUTHORITY REGARDING**
 23 **CONTRACTS FOR COMMUNITY SERVICES AT**
 24 **INSTALLATIONS BEING CLOSED.**

25 (a) 1988 LAW.—Section 204(b)(8)(A) of the Defense
 26 Authorization Amendments and Base Closure and Re-

1 alignment Act (Public Law 100–526; 10 U.S.C. 2687
2 note) is amended—

3 (1) by striking out “may contract” and insert-
4 ing in lieu thereof “may enter into agreements (in-
5 cluding contracts, cooperative agreements, or other
6 arrangements)”; and

7 (2) by adding at the end the following new sen-
8 tence: “An agreement under the authority in the
9 preceding sentence may provide for the reimburse-
10 ment of the local government concerned by the Sec-
11 retary for the cost of any services provided under
12 the agreement by that government.”.

13 (b) 1990 LAW.—Section 2905(b)(8)(A) of the De-
14 fense Base Closure and Realignment Act of 1990 (part
15 A of title XXIX of Public Law 101–510; 10 U.S.C. 2687
16 note) is amended—

17 (1) by striking out “may contract” and insert-
18 ing in lieu thereof “may enter into agreements (in-
19 cluding contracts, cooperative agreements, or other
20 arrangements)”; and

21 (2) by adding at the end the following new sen-
22 tence: “An agreement under the authority in the
23 preceding sentence may provide for the reimburse-
24 ment of the local government concerned by the Sec-

1 retary for the cost of any services provided under
2 the agreement by that government.”.

3 **SEC. 2823. CLARIFICATION OF FUNDING FOR ENVIRON-**
4 **MENTAL RESTORATION AT INSTALLATIONS**
5 **APPROVED FOR CLOSURE OR REALIGNMENT**
6 **IN 1995.**

7 Subsection (e) of section 2906 of the Defense Base
8 Closure and Realignment Act of 1990 (part A of title
9 XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is
10 amended to read as follows:

11 “(e) ACCOUNT EXCLUSIVE SOURCE OF FUNDS FOR
12 ENVIRONMENTAL RESTORATION PROJECTS.—(1) Except
13 for funds deposited into the Account under subsection (a),
14 and except as provided in paragraph (2), funds appro-
15 priated to the Department of Defense may not be used
16 for purposes described in section 2905(a)(1)(C). The pro-
17 hibition in this subsection shall expire upon the termi-
18 nation of the Secretary’s authority to carry out a closure
19 or realignment under this part.

20 “(2) Funds in the Defense Environmental Restora-
21 tion Account established under section 2703(a) of title 10,
22 United States Code, may be used in fiscal year 1996 for
23 environmental restoration at installations approved for
24 closure or realignment under this part in 1995.”.

1 **SEC. 2824. AUTHORITY TO LEASE PROPERTY REQUIRING**
2 **ENVIRONMENTAL REMEDIATION AT INSTAL-**
3 **LATIONS APPROVED FOR CLOSURE.**

4 Section 120(h)(3) of the Comprehensive Environ-
5 mental Response Compensation and Liability Act of 1980
6 (42 U.S.C. 9620(h)(3)) is amended in the matter following
7 subparagraph (C)—

8 (1) by striking out the first sentence; and

9 (2) by adding at the end, flush to the para-
10 graph margin, the following:

11 “The requirements of subparagraph (B) shall not
12 apply in any case in which the person or entity to
13 whom the real property is transferred is a poten-
14 tially responsible party with respect to such prop-
15 erty.

16 “The requirements of subparagraph (B) shall not
17 apply in any case in which the transfer of the prop-
18 erty occurs or has occurred by means of a lease,
19 without regard to whether the lessee has agreed to
20 purchase the property or whether the duration of the
21 lease is longer than 55 years. In the case of a lease
22 entered into after September 30, 1995, with respect
23 to real property located at an installation approved
24 for closure or realignment under a base closure law,
25 the agency leasing the property, in consultation with
26 the Administrator, shall determine before leasing the

1 property that the property is suitable for lease, that
2 the uses contemplated for the lease are consistent
3 with protection of human health and the environ-
4 ment, and that there are adequate assurances that
5 the United States will take all remedial action re-
6 ferred to in subparagraph (B) that has not been
7 taken on the date of the lease.”.

8 **SEC. 2825. FINAL FUNDING FOR DEFENSE BASE CLOSURE**
9 **AND REALIGNMENT COMMISSION.**

10 Section 2902(k) of the Defense Base Closure and Re-
11 alignment Act of 1990 (part A of title XXIX of Public
12 Law 101–510; 10 U.S.C. 2687 note) is amended by add-
13 ing at the end the following:

14 “(3)(A) The Secretary may transfer from the account
15 referred to in subparagraph (B) such unobligated funds
16 in that account as may be necessary for the Commission
17 to carry out its duties under this part during October, No-
18 vember, and December 1995. Funds transferred under the
19 preceding sentence shall remain available until December
20 31, 1995.

21 “(B) The account referred to in subparagraph (A)
22 is the Department of Defense Base Closure Account estab-
23 lished under section 207(a) of the Defense Authorization
24 Amendments and Base Closure and Realignment Act
25 (Public Law 100–526; 10 U.S.C. 2687 note).”.

1 **SEC. 2826. IMPROVEMENT OF BASE CLOSURE AND RE-**
2 **ALIGNMENT PROCESS.**

3 (a) **APPLICABILITY.**—Subparagraph (A) of section
4 2905(b)(7) of the Defense Base Closure and Realignment
5 Act of 1990 (part A of title XXIX of Public Law 101–
6 510; 10 U.S.C. 2687 note) is amended by striking out
7 “Determinations of the use to assist the homeless of build-
8 ings and property located at installations approved for clo-
9 sure under this part” and inserting in lieu thereof “Proce-
10 dures for the disposal of buildings and property located
11 at installations approved for closure or realignment under
12 this part”.

13 (b) **REDEVELOPMENT AUTHORITIES.**—Subparagraph
14 (B) of such section is amended by adding at the end the
15 following:

16 “(iii) The chief executive officer of the State in which
17 an installation covered by this paragraph is located may
18 assist in resolving any disputes among citizens or groups
19 of citizens as to the individuals and groups constituting
20 the redevelopment authority for the installation.”.

21 (c) **AGREEMENTS UNDER REDEVELOPMENT**
22 **PLANS.**—Subparagraph (F)(ii)(I) of such section is
23 amended in the second sentence by striking out “the ap-
24 proval of the redevelopment plan by the Secretary of
25 Housing and Urban Development under subparagraph
26 (H) or (J)” and inserting in lieu thereof “the decision re-

1 garding the disposal of the buildings and property covered
2 by the agreements by the Secretary of Defense under sub-
3 paragraph (K) or (L)’’.

4 (d) REVISION OF REDEVELOPMENT PLANS.—Sub-
5 paragraph (I) of such section is amended by inserting ‘‘the
6 Secretary of Defense and’’ before ‘‘the Secretary of Hous-
7 ing and Urban Development’’ each place it appears.

8 (e) DISPOSAL OF BUILDINGS AND PROPERTY.—(1)
9 Subparagraph (K) of such section is amended to read as
10 follows:

11 ‘‘(K)(i) Upon receipt of a notice under subparagraph
12 (H)(iv) or (J)(ii) of the determination of the Secretary of
13 Housing and Urban Development that a redevelopment
14 plan for an installation meets the requirements set forth
15 in subparagraph (H)(i), the Secretary of Defense shall dis-
16 pose of the buildings and property at the installation.

17 ‘‘(ii) For purposes of carrying out an environmental
18 assessment of the closure or realignment of an installa-
19 tion, the Secretary shall treat the redevelopment plan for
20 the installation (including the aspects of the plan provid-
21 ing for disposal to State or local governments, representa-
22 tives of the homeless, and other interested parties) as part
23 of the proposed Federal action for the installation.

24 ‘‘(iii) The Secretary shall dispose of buildings and
25 property under clause (i) in accordance with the record

1 of decision or other decision document prepared by the
2 Secretary in accordance with the National Environmental
3 Policy Act of 1969 (42 U.S.C. 4331 et seq.) In preparing
4 the record of decision or other decision document, the Sec-
5 retary shall give substantial deference to the redevelop-
6 ment plan concerned.

7 “(iv) The disposal under clause (i) of buildings and
8 property to assist the homeless shall be without consider-
9 ation.

10 “(v) In the case of a request for a conveyance under
11 clause (i) of buildings and property for public benefit
12 under section 203(k) of the Federal Property and Admin-
13 istrative Services Act of 1949 (40 U.S.C. 484(k)) and sub-
14 chapter II of chapter 471 of title 49, United States Code,
15 the applicant and use proposed in the request shall be de-
16 termined to be eligible for the public benefit conveyance
17 under the eligibility criteria set forth in such section or
18 such subchapter. The determination of such eligibility
19 should be made before the redevelopment plan concerned
20 under subparagraph (G) ”.

21 (2) Subparagraph (L) of such section is amended by
22 striking out clauses (iii) and (iv) and inserting in lieu
23 thereof the following new clauses (iii) and (iv):

24 “(iii) Not later than 90 days after the date of the
25 receipt of a revised plan for an installation under subpara-

1 graph (J), the Secretary of Housing and Urban Develop-
2 ment shall—

3 “(I) notify the Secretary of Defense and the re-
4 development authority concerned of the buildings
5 and property at an installation under clause (i)(IV)
6 that the Secretary of Housing and Urban Develop-
7 ment determines are suitable for use to assist the
8 homeless; and

9 “(II) notify the Secretary of Defense of the ex-
10 tent to which the revised plan meets the criteria set
11 forth in subparagraph (H)(i).

12 “(iv)(I) Upon notice from the Secretary of Housing
13 and Urban Development with respect to an installation
14 under clause (iii), the Secretary of Defense shall, after
15 consultation with the Secretary of Housing and Urban De-
16 velopment and redevelopment authority concerned, dispose
17 of buildings and property at the installation.

18 “(II) For purposes of carrying out an environmental
19 assessment of the closure or realignment of an installa-
20 tion, the Secretary shall treat the redevelopment plan for
21 the installation (including the aspects of the plan provid-
22 ing for disposal to State or local governments, representa-
23 tives of the homeless, and other interested parties) as part
24 of the proposed Federal action for the installation.

1 “(III) The Secretary shall dispose of buildings and
2 property under subclause (I) in accordance with the record
3 of decision or other decision document prepared by the
4 Secretary in accordance with the National Environmental
5 Policy Act of 1969 (42 U.S.C. 4331 et seq.) In preparing
6 the record of decision or other decision document, the Sec-
7 retary shall give deference to the redevelopment plan con-
8 cerned.

9 “(IV) The disposal under subclause (I) of buildings
10 and property to assist the homeless shall be without con-
11 sideration.

12 “(V) In the case of a request for a conveyance under
13 clause (i) of buildings and property for public benefit
14 under section 203(k) of the Federal Property and Admin-
15 istrative Services Act of 1949 (40 U.S.C. 484(k)) and sub-
16 chapter II of chapter 471 of title 49, United States Code,
17 the applicant and use proposed in the request shall be de-
18 termined to be eligible for the public benefit conveyance
19 under the eligibility criteria set forth in such section or
20 such subchapter. The determination of such eligibility
21 should be made before the redevelopment plan concerned
22 under subparagraph (G) ”.

23 (f) CONFORMING AMENDMENT.—Subparagraph
24 (M)(i) of such section is amended by inserting “or (L)”
25 after “subparagraph (K)”.

1 (g) CLARIFICATION OF PARTICIPANTS IN PROC-
2 ESS.—Such section is further amended by adding at the
3 end the following:

4 “(P) For purposes of this paragraph, the term ‘other
5 interested parties’, in the case of an installation, includes
6 any parties eligible for the conveyance of property of the
7 installation under section 203(k) of the Federal Property
8 and Administrative Services Act of 1949 (40 U.S.C.
9 484(k)) or subchapter II of chapter 471 of title 49, United
10 States Code, whether or not the parties assist the home-
11 less.”.

12 (h) TECHNICAL AMENDMENTS.—Section 2910 of
13 such Act is amended—

14 (1) by designating the paragraph (10) added by
15 section 2(b) of the Base Closure Community Rede-
16 velopment and Homeless Assistance Act of 1994
17 (Public Law 103–421; 108 Stat. 4352) as para-
18 graph (11); and

19 (2) in such paragraph, as so designated, by
20 striking out “section 501(h)(4) of the Stewart B.
21 McKinney Homeless Assistance Act (42 U.S.C.
22 11411(h)(4))” and inserting in lieu thereof “section
23 501(i)(4) of the Stewart B. McKinney Homeless As-
24 sistance Act (42 U.S.C. 11411(i)(4))”.

1 **SEC. 2827. EXERCISE OF AUTHORITY DELEGATED BY THE**
2 **ADMINISTRATOR OF GENERAL SERVICES.**

3 Section 2905(b)(2) of the Defense Base Closure and
4 Realignment Act of 1990 (part A of title XXIX of Public
5 Law 101–510; 10 U.S.C. 2687 note) is amended—

6 (1) in subparagraph (A)—

7 (A) by striking out “Subject to subpara-
8 graph (C)” in the matter preceding clause (i)
9 and inserting in lieu thereof “Subject to sub-
10 paragraph (B)”; and

11 (B) by striking out “in effect on the date
12 of the enactment of this Act” each place it ap-
13 pears in clauses (i) and (ii);

14 (2) by striking out subparagraphs (B) and (C)
15 and inserting in lieu thereof the following new sub-
16 paragraph (B):

17 “(B) The Secretary may, with the concurrence of the
18 Administrator of General Services—

19 “(i) prescribe general policies and methods for
20 utilizing excess property and disposing of surplus
21 property pursuant to the authority delegated under
22 paragraph (1); and

23 “(ii) issue regulations relating to such policies
24 and methods which regulations supersede the regula-
25 tions referred to in subparagraph (A) with respect to
26 that authority.”; and

1 (3) by redesignating subparagraphs (D) and
2 (E) as subparagraphs (C) and (D), respectively.

3 **SEC. 2828. LEASE BACK OF PROPERTY DISPOSED FROM IN-**
4 **STALLATIONS APPROVED FOR CLOSURE OR**
5 **REALIGNMENT.**

6 (a) **AUTHORITY.**—Section 2905(b)(4) of the Defense
7 Base Closure and Realignment Act of 1990 (part A of title
8 XXIX of Public Law 101–510; 10 U.S.C. 2687 note) is
9 amended—

10 (1) by redesignating subparagraphs (C), (D),
11 and (E) as subparagraphs (D), (E), and (F), respec-
12 tively; and

13 (2) by inserting after subparagraph (B) the fol-
14 lowing new subparagraph (C):

15 “(C)(i) The Secretary may transfer real property at
16 an installation approved for closure or realignment under
17 this part (including property at an installation approved
18 for realignment which property will be retained by the De-
19 partment of Defense or another Federal agency after re-
20 alignment) to the redevelopment authority for the installa-
21 tion if the redevelopment authority agrees to lease, directly
22 upon transfer, all or a significant portion of the property
23 transferred under this subparagraph to the Secretary or
24 to the head of another department or agency of the Fed-

1 eral Government. Subparagraph (B) shall apply to a
2 transfer under this subparagraph.

3 “(ii) A lease under clause (i) shall be for a term of
4 not to exceed 50 years, but may provide for options for
5 renewal or extension of the term by the department or
6 agency concerned.

7 “(iii) A lease under clause (i) may not require rental
8 payments by the United States.

9 “(iv) A lease under clause (i) shall include a provision
10 specifying that if the department or agency concerned
11 ceases requiring the use of the leased property before the
12 expiration of the term of the lease, the remainder of the
13 lease term may, upon approval by the redevelopment au-
14 thority concerned, be satisfied by the same or another de-
15 partment or agency of the Federal Government using the
16 property for a use similar to the use under the lease.”.

17 (b) USE OF FUNDS TO IMPROVE LEASED PROP-
18 ERTY.—Notwithstanding any other provision of law, a de-
19 partment or agency of the Federal Government that enters
20 into a lease of property under section 2905(b)(4)(C) of
21 the such Act, as amended by subsection (a), may use
22 funds appropriated or otherwise available to the depart-
23 ment or agency for such purpose to improve the leased
24 property.

1 **SEC. 2829. PROCEEDS OF LEASES AT INSTALLATIONS AP-**
2 **PROVED FOR CLOSURE OR REALIGNMENT.**

3 (a) INTERIM LEASES.—Section 2667(d) of title 10,
4 United States Code, is amended—

5 (1) in paragraph (1)(A)—

6 (A) by striking out “and” at the end of
7 clause (i);

8 (B) by striking out the period at the end
9 of clause (ii) and inserting in lieu thereof “;
10 and”; and

11 (C) by adding at the end the following:

12 “(iii) money rentals referred to in paragraph
13 (5).”; and

14 (2) by adding at the end the following:

15 “(5) Money rentals received by the United States
16 under subsection (f) shall be deposited in the Department
17 of Defense Base Closure Account 1990 established under
18 section 2906(a) of the Defense Base Closure and Realign-
19 ment Act of 1990 (part A of title XXIX of Public Law
20 101–510; 10 U.S.C. 2687 note).”.

21 (b) DEPOSIT IN 1990 ACCOUNT.—Section 2906(a)(2)
22 of the Defense Base Closure and Realignment Act of 1990
23 (part A of title XXIX of Public Law 101–510; 10 U.S.C.
24 2687 note) is amended—

25 (1) in subparagraph (C)—

1 (A) by striking out “transfer or disposal”
 2 and inserting in lieu thereof “transfer, lease, or
 3 other disposal”; and

4 (B) by striking out “and” at the end;
 5 (2) in subparagraph (D)—

6 (A) by striking out “transfer or disposal”
 7 and inserting in lieu thereof “transfer, lease, or
 8 other disposal”; and

9 (B) by striking out the period at the end
 10 and inserting in lieu thereof “; and”; and

11 (3) by adding at the end the following:

12 “(E) money rentals received by the United
 13 States under section 2667(f) of title 10, United
 14 States Code.”.

15 **SEC. 2830. CONSOLIDATION OF DISPOSAL OF PROPERTY**
 16 **AND FACILITIES AT FORT HOLABIRD, MARY-**
 17 **LAND.**

18 (a) CONSOLIDATION.—Notwithstanding any other
 19 provision of law, the Secretary of Defense shall dispose
 20 of the property and facilities at Fort Holabird, Maryland,
 21 described in subsection (b) in accordance with subpara-
 22 graph (2)(e) of the Base Closure Community Redevelop-
 23 ment and Homeless Assistance Act of 1994 (P.L. 103–
 24 421), treating the property described in subsection (b) as
 25 if the CEO of the State had submitted a timely request

1 to the Secretary of Defense under subparagraph
2 (2)(e)(1)(B)(ii) of the Base Closure Community Redevel-
3 opment and Homeless Assistance Act of 1994 (P.L. 103–
4 421).

5 (b) COVERED PROPERTY AND FACILITIES.—Sub-
6 section (a) applies to the following property and facilities
7 at Fort Holabird, Maryland:

8 (1) Property and facilities that were approved
9 for closure or realignment under the 1988 base clo-
10 sure law that are not disposed of as of the date of
11 the enactment of this Act, including buildings 305
12 and 306 and the parking lots and other property as-
13 sociated with such buildings.

14 (2) Property and facilities that are approved for
15 closure or realignment under the 1990 base closure
16 law in 1995.

17 (c) USE OF SURVEYS AND OTHER EVALUATIONS OF
18 PROPERTY.—In carrying out the disposal of the property
19 and facilities referred to in subsection (b)(1), the Sec-
20 retary shall utilize any surveys and other evaluations of
21 such property and facilities that are prepared by the Corps
22 of Engineers before the date of the enactment of this Act
23 as part of the process for the disposal of such property
24 and facilities under the 1988 base closure law.

25 (d) DEFINITIONS.—In this section:

1 (1) The term “1988 base closure law” means
2 title II of the Defense Authorization Amendments
3 and Base Closure and Realignment Act (Public Law
4 100–526; 10 U.S.C. 2687 note).

5 (2) The term “1990 base closure law” means
6 the Defense Base Closure and Realignment Act of
7 1990 (part A of title XXIX of Public Law 101–510;
8 10 U.S.C. 2687 note).

9 **SEC. 2830A. LAND CONVEYANCE, PROPERTY UNDERLYING**
10 **CUMMINS APARTMENT COMPLEX, FORT**
11 **HOLABIRD, MARYLAND.**

12 (a) CONVEYANCE AUTHORIZED.—Notwithstanding
13 any other provision of law, the Secretary of the Army may
14 convey to the existing owner of the improvements thereon
15 all right, title, and interest of the United States in and
16 to a parcel of real property underlying the Cummins
17 Apartment Complex at Fort Holabird, Maryland, consist-
18 ing of approximately 6 acres and any interest the United
19 States may have in the improvements thereon.

20 (b) CONSIDERATION.—As consideration for the con-
21 veyance under subsection (a), the owner of the improve-
22 ments referred to in that subsection shall provide com-
23 pensation to the United States in an amount equal to the
24 fair market value (as determined by the Secretary) of the
25 property interest to be conveyed.

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

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

10 **SEC. 2830B. INTERIM LEASES OF PROPERTY APPROVED**
11 **FOR CLOSURE OR REALIGNMENT.**

12 Section 2667(f) of title 10, United States Code, is
13 amended by adding at the end the following:

14 “(4)(A) Notwithstanding the National Environmental
15 Policy Act of 1969 (42 U.S.C. 4321 et seq.), the scope
16 of any environmental impact analysis necessary to support
17 an interim lease of property under this subsection shall
18 be limited to the environmental consequences of activities
19 authorized under the proposed lease and the cumulative
20 impacts of other past, present, and reasonably foreseeable
21 future actions during the period of the proposed lease.

22 “(B) Interim leases entered into under this sub-
23 section shall be deemed not to prejudice the final property
24 disposal decision, even if final property disposal may be
25 delayed until completion of the interim lease term. An in-

1 interim lease under this subsection shall not be entered into
 2 without prior consultation with the redevelopment author-
 3 ity concerned.

4 “(C) The provisions of subparagraphs (A) and (B)
 5 shall not apply to an interim lease under this subsection
 6 if authorized activities under the lease would—

7 “(i) significantly effect the quality of the
 8 human environment; or

9 “(ii) irreversibly alter the environment in a way
 10 that would preclude any reasonable disposal alter-
 11 native of the property concerned.”.

12 **SEC. 2830C. SENSE OF THE CONGRESS REGARDING**
 13 **FITZSIMONS ARMY MEDICAL CENTER, COLO-**
 14 **RADO.**

15 (a) FINDINGS.—The Congress finds that—

16 (1) Fitzsimons Army Medical Center in Aurora,
 17 Colorado has been recommended for closure in 1995
 18 under the Defense Base Closure and Realignment
 19 Act of 1990;

20 (2) The University of Colorado Health Sciences
 21 Center and the University of Colorado Hospital Au-
 22 thority are in urgent need of space to maintain their
 23 ability to deliver health care to meet the growing de-
 24 mand for their services;

1 (3) Reuse of the Fitzsimons facility at the earli-
2 est opportunity would provide significant benefit to
3 the cities of Aurora and Denver; and

4 (4) Reuse of the Fitzsimons facility by the local
5 community ensures that the property is fully utilized
6 by providing a benefit to the community.

7 (b) SENSE OF CONGRESS.—Therefore, it is the sense
8 of Congress that upon acceptance of the Base Closure list:

9 (1) The Federal screening process for all mili-
10 tary installations, including Fitzsimons Army Medi-
11 cal Center should be accomplished at the earliest op-
12 portunity;

13 (2) To the extent possible, the Secretary of the
14 military departments should consider on an expe-
15 dited basis transferring appropriate facilities to
16 Local Redevelopment Authorities while still oper-
17 ational to ensure continuity of use to all parties con-
18 cerned, in particular, the Secretary of the Army
19 should consider an expedited transfer of Fitzsimons
20 Army Medical Center because of significant prepara-
21 tions underway by the Local Redevelopment Author-
22 ity;

23 (3) The Secretaries should not enter into leases
24 with Local Redevelopment Authorities until the Sec-
25 retary concerned has established that the lease falls

1 within the categorical exclusions established by the
2 Military Departments pursuant to the National En-
3 vironmental Policy Act (42 U.S.C. 4321 et seq.);

4 (4) This section is in no way intended to cir-
5 cumvent the decisions of the 1995 BRAC or other
6 applicable laws.

7 (c) REPORT.—180 days after the enactment of this
8 Act the Secretary of the Army shall provide a report to
9 the appropriate committees of the Congress on the
10 Fitzsimons Army Medical Center that covers:

11 (1) The results of the Federal screening process
12 for Fitzsimons and any actions that have been taken
13 to expedite the review;

14 (2) Any impediments raised during the Federal
15 screening process to the transfer or lease of
16 Fitzsimons Army Medical Center;

17 (3) Any actions taken by the Secretary of the
18 Army to lease the Fitzsimons Army Medical Center
19 to the local redevelopment authority;

20 (4) The results of any environmental reviews
21 under the National Environmental Policy Act in
22 which such a lease would fall into the categorical ex-
23 clusions established by the Secretary of the Army;
24 and

1 (5) The results of the environmental baseline
2 survey and a finding of suitability or nonsuitability.

3 **Subtitle C—Land Conveyances**

4 **SEC. 2831. LAND ACQUISITION OR EXCHANGE, SHAW AIR**
5 **FORCE BASE, SOUTH CAROLINA.**

6 (a) LAND ACQUISITION.—The Secretary of the Air
7 Force may, by means of an exchange of property, accept-
8 ance as a gift, or other means that does not require the
9 use of appropriated funds, acquire all right, title, and in-
10 terest in and to a parcel of real property (together with
11 any improvements thereon) consisting of approximately
12 1,100 acres that is located adjacent to the eastern end
13 of Shaw Air Force Base, South Carolina, and extends to
14 Stamey Livestock Road in Sumter County, South Caro-
15 lina.

16 (b) ACQUISITION THROUGH EXCHANGE OF
17 LANDS.—For purposes of acquiring the real property de-
18 scribed in subsection (a) by means of an exchange of
19 lands, the Secretary may convey all right, title, and inter-
20 est of the United States in and to a parcel of real property
21 in the possession of the Air Force if—

22 (1) the Secretary determines that the land ex-
23 change is in the best interests of the Air Force; and

1 (2) the fair market value of the Air Force par-
2 cel to be conveyed does not exceed the fair market
3 value of the parcel to be acquired.

4 (c) REVERSION OF GIFT CONVEYANCE.—If the Sec-
5 retary acquires the real property described in subsection
6 (a) by way of gift, the Secretary may accept in the deed
7 of conveyance terms or conditions requiring that the land
8 be reconveyed to the donor, or the donor's heirs, if Shaw
9 Air Force Base ceases operations and is closed.

10 (d) DETERMINATIONS OF FAIR MARKET VALUE.—
11 The Secretary shall determine the fair market value of the
12 parcels of real property to be acquired pursuant to sub-
13 section (a) or acquired and conveyed pursuant to sub-
14 section (b). Such determinations shall be final.

15 (e) DESCRIPTIONS OF PROPERTY.—The exact acre-
16 age and legal descriptions of the parcels of real property
17 to be acquired pursuant to subsection (a) or acquired and
18 conveyed pursuant to subsection (b) shall be determined
19 by surveys that are satisfactory to the Secretary.

20 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
21 retary may require such additional terms and conditions
22 in connection with the acquisition under subsection (a) or
23 the acquisition and conveyance under subsection (b) as the
24 Secretary considers appropriate to protect the interests of
25 the United States.

1 **SEC. 2832. AUTHORITY FOR PORT AUTHORITY OF STATE OF**
2 **MISSISSIPPI TO USE CERTAIN NAVY PROP-**
3 **ERTY IN GULFPORT, MISSISSIPPI.**

4 (a) JOINT USE AGREEMENT AUTHORIZED.—The
5 Secretary of the Navy may enter into an agreement with
6 the Port Authority of the State of Mississippi (in this sec-
7 tion referred to as the “Port Authority”), under which the
8 Port Authority may use up to 50 acres of real property
9 and associated facilities located at the Naval Construction
10 Battalion Center, Gulfport, Mississippi (in this section re-
11 ferred to as the “Center”).

12 (b) TERM OF AGREEMENT.—The agreement author-
13 ized under subsection (a) may be for an initial period of
14 not more than 15 years. Under the agreement, the Sec-
15 retary shall provide the Port Authority with an option to
16 extend the agreement for 3 additional periods of 5 years
17 each and for such additional periods as the Secretary and
18 the Port Authority mutually agree.

19 (c) RESTRICTIONS ON USE.—The agreement author-
20 ized under subsection (a) shall require the Port Author-
21 ity—

22 (1) to suspend operations at the Center in the
23 event that Navy contingency operations are con-
24 ducted at the Center; and

1 (2) to use the property covered by the agree-
2 ment in a manner consistent with the Navy oper-
3 ations at the Center.

4 (d) CONSIDERATION.—(1) As consideration for the
5 use of the property covered by the agreement under sub-
6 section (a), the Port Authority shall pay to the Navy an
7 amount equal to the fair market rental value of the prop-
8 erty, as determined by the Secretary taking into consider-
9 ation the nature and extent of the Port Authority's use
10 of the property.

11 (2) The Secretary may include a provision in the
12 agreement requiring the Port Authority—

13 (A) to pay the Navy an amount (as determined
14 by the Secretary) to cover the costs of replacing at
15 the Center any facilities vacated by the Navy on ac-
16 count of the agreement or to construct suitable re-
17 placement facilities for the Navy; and

18 (B) to pay the Navy an amount (as determined
19 by the Secretary) for the costs of relocating Navy
20 operations from the vacated facilities to the replace-
21 ment facilities.

22 (e) CONGRESSIONAL NOTIFICATION.—The Secretary
23 may not enter into the agreement authorized by subsection
24 (a) until the end of the 21-day period beginning on the
25 date on which the Secretary submits to Congress a report

1 containing an explanation of the terms of the proposed
2 agreement and a description of the consideration that the
3 Secretary expects to receive under the agreement.

4 (f) USE OF PAYMENT.—(1) The Secretary may use
5 amounts received under subsection (d)(1) to pay for gen-
6 eral supervision, administration, and overhead expenses
7 and for improvement, maintenance, repair, construction,
8 or restoration of facilities at the Center or of the roads
9 and railways serving the Center.

10 (2) The Secretary may use amounts received under
11 subsection (d)(2) to pay for constructing new facilities, or
12 making modifications to existing facilities, that are nec-
13 essary to replace facilities vacated by the Navy on account
14 of the agreement under subsection (a) and for relocating
15 operations of the Navy from the vacated facilities to re-
16 placement facilities.

17 (g) CONSTRUCTION BY PORT AUTHORITY.—The Sec-
18 retary may authorize the Port Authority to demolish exist-
19 ing facilities located on the property covered by the agree-
20 ment under subsection (a) and, consistent with the restric-
21 tion provided under subsection (c)(2), construct new facili-
22 ties on the property for the joint use of the Port Authority
23 and the Navy.

24 (h) ADDITIONAL TERMS AND CONDITIONS.—The
25 Secretary may require such additional terms and condi-

1 tions in connection with the agreement authorized under
2 subsection (a) as the Secretary considers appropriate to
3 protect the interests of the United States.

4 **SEC. 2833. CONVEYANCE OF RESOURCE RECOVERY FACIL-**
5 **ITY, FORT DIX, NEW JERSEY.**

6 (a) **AUTHORITY TO CONVEY.**—The Secretary of the
7 Army may convey to Burlington County, New Jersey (in
8 this section referred to as the “County”), without consid-
9 eration, all right, title, and interest of the United States
10 in and to a parcel of real property at Fort Dix, New Jer-
11 sey, consisting of approximately two acres and containing
12 a resource recovery facility known as the Fort Dix re-
13 source recovery facility.

14 (b) **RELATED EASEMENTS.**—The Secretary may
15 grant to the County any easement that is necessary for
16 access to and operation of the resource recovery facility
17 conveyed under subsection (a).

18 (c) **REQUIREMENT RELATING TO CONVEYANCE.**—
19 The Secretary may not carry out the conveyance of the
20 resource recovery facility authorized in subsection (a) un-
21 less the County agrees to accept the facility in its existing
22 condition at the time of conveyance.

23 (d) **CONDITIONS ON CONVEYANCE.**—The conveyance
24 of the resource recovery facility authorized by subsection
25 (a) is subject to the following conditions:

1 (1) That the County provide refuse service and
2 steam service to Fort Dix, New Jersey, at the rate
3 mutually agreed upon by the Secretary and the
4 County and approved by the appropriate Federal or
5 State regulatory authority.

6 (2) That the County comply with all applicable
7 environmental laws and regulations (including any
8 permit or license requirements) relating to the re-
9 source recovery facility.

10 (3) That, consistent with its ownership of the
11 resource recovery facility conveyed, the County as-
12 sume full responsibility for operation, maintenance,
13 and repair of the facility and for compliance of the
14 facility with all applicable regulatory requirements.

15 (4) That the County not commence any expan-
16 sion of the resource recovery facility without ap-
17 proval of such expansion by the Secretary.

18 (e) DESCRIPTION OF THE PROPERTY.—The exact
19 legal description of the real property to be conveyed under
20 subsection (a), including the resource recovery facility con-
21 veyed therewith, and any easements granted under sub-
22 section (b), shall be determined by a survey and by other
23 means satisfactory to the Secretary. The cost of any sur-
24 vey or other services performed at the direction of the Sec-

1 retary under the authority in the preceding sentence shall
2 be borne by the County.

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

9 **SEC. 2834. CONVEYANCE OF WATER AND WASTEWATER**
10 **TREATMENT PLANTS, FORT GORDON, GEOR-**
11 **GIA.**

12 (a) AUTHORITY TO CONVEY.—The Secretary of the
13 Army may convey to the City of Augusta, Georgia (in this
14 section referred to as the “City”), without consideration,
15 all right, title, and interest of the United States in and
16 to two parcels of real property located at Fort Gordon,
17 Georgia, consisting of approximately seven acres each. The
18 parcels are improved with a water filtration plant, a water
19 distribution system with storage tanks, a sewage treat-
20 ment plant, and a sewage collection system.

21 (b) RELATED EASEMENTS.—The Secretary may
22 grant to the City any easement that is necessary for access
23 to the real property conveyed under subsection (a) and op-
24 eration of the conveyed facilities.

1 (c) REQUIREMENT RELATING TO CONVEYANCE.—

2 The Secretary may not carry out the conveyance of the
3 water and wastewater treatment plants and water and
4 wastewater distribution and collection systems authorized
5 in subsection (a) unless the City agrees to accept the
6 plants and systems in their existing condition at the time
7 of conveyance.

8 (d) CONDITIONS ON CONVEYANCE.—The conveyance
9 authorized by subsection (a) is subject to the following
10 conditions:

11 (1) That the City provide water and sewer serv-
12 ice to Fort Gordon, Georgia, at a rate mutually
13 agreed upon by the Secretary and the City and ap-
14 proved by the appropriate Federal or State regu-
15 latory authority.

16 (2) That the City comply with all applicable en-
17 vironmental laws and regulations (including any per-
18 mit or license requirements) relating to the water
19 and wastewater treatment plants and water and
20 wastewater distribution and collection systems con-
21 veyed under that subsection.

22 (3) That, consistent with its ownership of the
23 water and wastewater treatment plants and water
24 and wastewater distribution and collection systems
25 conveyed, the City assume full responsibility for op-

1 eration, maintenance, and repair of the plants and
2 water and systems conveyed under that subsection
3 and for compliance of the plants and systems with
4 all applicable regulatory requirements.

5 (4) That the City not commence any expansion
6 of the water or wastewater treatment plant or water
7 or wastewater distribution or collection system con-
8 veyed under that subsection without approval of
9 such expansion by the Secretary.

10 (e) DESCRIPTION OF PROPERTY.—The exact legal
11 description of the real property to be conveyed under sub-
12 section (a), including the water and wastewater treatment
13 plants and water and wastewater distribution and collec-
14 tion systems conveyed therewith, and of any easements
15 granted under subsection (b), shall be determined by a
16 survey and by other means satisfactory to the Secretary.
17 The cost of any survey or other services performed at the
18 direction of the Secretary under the authority in the pre-
19 ceding sentence shall be borne by the City.

20 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
21 retary may require such additional terms and conditions
22 in connection with the conveyance under subsection (a)
23 and the grant of any easement under subsection (b) as
24 the Secretary considers appropriate to protect the inter-
25 ests of the United States.

1 **SEC. 2835. CONVEYANCE OF WATER TREATMENT PLANT,**
2 **FORT PICKETT, VIRGINIA.**

3 (a) **AUTHORITY TO CONVEY.**—(1) The Secretary of
4 the Army may convey to the Town of Blackstone, Virginia
5 (in this section referred to as the “Town”), without con-
6 sideration, all right, title, and interest of the United States
7 in and to the property described in paragraph (2).

8 (2) The property referred to in paragraph (1) is the
9 following property located at Fort Pickett, Virginia:

10 (A) A parcel of real property consisting of ap-
11 proximately 10 acres, including a reservoir and im-
12 provements thereon, the site of the Fort Pickett
13 water treatment plant.

14 (B) Any equipment, fixtures, structures, or
15 other improvements (including any water trans-
16 mission lines, water distribution and service lines,
17 fire hydrants, water pumping stations, and other im-
18 provements) not located on the parcel described in
19 subparagraph (A) that are jointly identified by the
20 Secretary and the Town as owned and utilized by
21 the Federal Government in order to provide water to
22 and distribute water at Fort Pickett.

23 (b) **RELATED EASEMENTS.**—The Secretary may
24 grant to the Town the following easements relating to the
25 conveyance of the property authorized by subsection (a):

1 (1) Such easements, if any, as the Secretary
2 and the Town jointly determine are necessary in
3 order to provide access to the water distribution sys-
4 tem referred to in paragraph (2) of such subsection
5 for maintenance, safety, and other purposes.

6 (2) Such easements, if any, as the Secretary
7 and the Town jointly determine are necessary in
8 order to provide access to the finished water lines
9 from the system to the Town.

10 (3) Such rights of way appurtenant, if any, as
11 the Secretary and the Town jointly determine are
12 necessary in order to satisfy requirements imposed
13 by any Federal, State, or municipal agency relating
14 to the maintenance of a buffer zone around the
15 water distribution system.

16 (c) WATER RIGHTS.—The Secretary shall grant to
17 the Town as part of the conveyance under subsection (a)
18 all right, title, and interest of the United States in and
19 to any water of the Nottoway River, Virginia, that is con-
20 nected with the reservoir referred to in paragraph (2)(A)
21 of such subsection.

22 (d) REQUIREMENTS RELATING TO CONVEYANCE.—
23 (1) The Secretary may not carry out the conveyance of
24 the water distribution system authorized under subsection

1 (a) unless the Town agrees to accept the system in its
2 existing condition at the time of the conveyance.

3 (2) The Secretary shall complete any environmental
4 removal or remediation required under the Comprehensive
5 Environmental Response, Compensation, and Liability Act
6 of 1980 (42 U.S.C. 9601 et seq.) with respect to the sys-
7 tem to be conveyed under this section before carrying out
8 the conveyance.

9 (e) CONDITIONS.—The conveyance authorized in sub-
10 section (a) shall be subject to the following conditions:

11 (1) That the Town reserve for provision to Fort
12 Pickett, and provide to Fort Pickett on demand, not
13 less than 1,500,000 million gallons per day of treat-
14 ed water from the water distribution system.

15 (2) That the Town provide water to and distrib-
16 ute water at Fort Pickett at a rate that is no less
17 favorable than the rate that the Town would charge
18 a public or private entity similar to Fort Pickett for
19 the provision and distribution of water.

20 (3) That the Town maintain and operate the
21 water distribution system in compliance with all ap-
22 plicable Federal and State environmental laws and
23 regulations (including any permit and license re-
24 quirements).

1 (f) DESCRIPTION OF PROPERTY.—The exact legal de-
2 scription of the property to be conveyed under subsection
3 (a), of any easements granted under subsection (b), and
4 of any water rights granted under subsection (c) shall be
5 determined by a survey and other means satisfactory to
6 the Secretary. The cost of any survey or other services
7 performed at the direction of the Secretary under the au-
8 thority in the preceding sentence shall be borne by the
9 Town.

10 (g) ADDITIONAL TERMS AND CONDITIONS.—The
11 Secretary may require such additional terms and condi-
12 tions in connection with the conveyance authorized under
13 subsection (a), the easements granted under subsection
14 (b), and the water rights granted under subsection (c) that
15 the Secretary considers appropriate to protect the inter-
16 ests of the United States.

17 **SEC. 2836. CONVEYANCE OF ELECTRIC POWER DISTRIBU-**
18 **TION SYSTEM, FORT IRWIN, CALIFORNIA.**

19 (a) AUTHORITY TO CONVEY.—(1) The Secretary of
20 the Army may convey to the Southern California Edison
21 Company, California (in this section referred to as the
22 “Company”), without consideration, all right, title, and in-
23 terest of the United States in and to the electric power
24 distribution system described in subsection (b).

1 (2) The Secretary may not convey any real property
2 under the authority in paragraph (1).

3 (b) COVERED SYSTEM.—The electric power distribu-
4 tion system referred to in subsection (a) is the electric
5 power distribution system located at Fort Irwin, Califor-
6 nia, and includes the equipment, fixtures, structures, and
7 other improvements (including approximately 115 miles of
8 electrical distribution lines, poles, switches, reclosers,
9 transformers, regulators, switchgears, and service lines)
10 that the Federal Government utilizes to provide electric
11 power at Fort Irwin.

12 (c) RELATED EASEMENTS.—The Secretary may
13 grant to the Company any easement that is necessary for
14 access to and operation of the electric power distribution
15 system conveyed under subsection (a).

16 (d) REQUIREMENT RELATING TO CONVEYANCE.—
17 The Secretary may not carry out the conveyance of the
18 electric power distribution system authorized in subsection
19 (a) unless the Company agrees to accept that system in
20 its existing condition at the time of the conveyance.

21 (e) CONDITIONS ON CONVEYANCE.—The conveyance
22 authorized by subsection (a) is subject to the following
23 conditions:

24 (1) That the Company provide electric power to
25 Fort Irwin, California, at a rate mutually agreed

1 upon by the Secretary and the Company and ap-
2 proved by the appropriate Federal or State regu-
3 latory authority.

4 (2) That the Company comply with all applica-
5 ble environmental laws and regulations (including
6 any permit or license requirements) relating to the
7 electric power distribution system.

8 (3) That, consistent with its ownership of the
9 electric power distribution system conveyed, the
10 Company assume full responsibility for operation,
11 maintenance, and repair of the system and for com-
12 pliance of the system with all applicable regulatory
13 requirements.

14 (4) That the Company not commence any ex-
15 pansion of the electric power distribution system
16 without approval of such expansion by the Secretary.

17 (f) DESCRIPTION OF PROPERTY.—The exact legal de-
18 scription of the electric power distribution system to be
19 conveyed pursuant to subsection (a), including any ease-
20 ment granted under subsection (b), shall be determined
21 by a survey and by other means satisfactory to the Sec-
22 retary. The cost of any survey or other services performed
23 at the direction of the Secretary pursuant to the authority
24 in the preceding sentence shall be borne by the Company.

1 (g) ADDITIONAL TERMS AND CONDITIONS.—The
2 Secretary may require such additional terms and condi-
3 tions in connection with the conveyance under subsection
4 (a) and the grant of any easement under subsection (b)
5 as the Secretary considers appropriate to protect the inter-
6 ests of the United States.

7 **SEC. 2837. LAND EXCHANGE, FORT LEWIS, WASHINGTON.**

8 (a) IN GENERAL.—(1) The Secretary of the Army
9 may convey to the Weyerhaeuser Real Estate Company,
10 Washington (in this section referred to as the “Com-
11 pany”), all right, title, and interest of the United States
12 in and to the parcels of real property described in para-
13 graph (2).

14 (2) The authority in paragraph (1) applies to the fol-
15 lowing parcels of real property located on the Fort Lewis
16 Military Reservation, Washington:

17 (A) An unimproved portion of Tract 1000 (for-
18 merly being in the DuPont-Steilacoom Road), con-
19 sisting of approximately 1.23 acres.

20 (B) Tract 26E, consisting of approximately
21 0.03 acres.

22 (b) CONSIDERATION.—As consideration for the con-
23 veyance authorized by subsection (a), the Company
24 shall—

1 (1) convey (or acquire and then convey) to the
2 United States all right, title, and interest in and to
3 a parcel of real property consisting of approximately
4 0.39 acres, together with improvements thereon, lo-
5 cated within the boundaries of Fort Lewis Military
6 Reservation;

7 (2) construct an access road from Pendleton
8 Street to the DuPont Recreation Area and a walk-
9 way path through DuPont Recreation Area;

10 (3) construct as improvements to the recreation
11 area a parking lot, storm drains, perimeter fencing,
12 restroom facilities, and initial grading of the DuPont
13 baseball fields; and

14 (4) provide such other consideration as may be
15 necessary (as determined by the Secretary) to ensure
16 that the fair market value of the consideration pro-
17 vided by the Company under this subsection is not
18 less than the fair market value of the parcels of real
19 property conveyed under subsection (a).

20 (c) DETERMINATIONS OF FAIR MARKET VALUE.—
21 The determinations of the Secretary regarding the fair
22 market value of the real property to be conveyed pursuant
23 to subsections (a) and (b), and of any other consideration
24 provided by the Company under subsection (b), shall be
25 final.

1 (d) TREATMENT OF OTHER INTERESTS IN PARCELS
2 TO BE CONVEYED.—The Secretary may enter into an
3 agreement with the appropriate officials of Pierce County,
4 Washington, which provides for—

5 (1) Pierce County to release the existing rever-
6 sionary interest of Pierce County in the parcels of
7 real property to be conveyed by the United States
8 under subsection (a); and

9 (2) the United States, in exchange for the re-
10 lease, to convey or grant to Pierce County an inter-
11 est in the parcel of real property conveyed to the
12 United States under subsection (b)(1) that is similar
13 in effect (as to that parcel) to the reversionary inter-
14 est released by Pierce County under paragraph (1).

15 (e) DESCRIPTION OF PROPERTY.—The exact acre-
16 ages and legal descriptions of the parcels of real property
17 to be conveyed under subsections (a) and (b) shall be de-
18 termined by surveys satisfactory to the Secretary. The cost
19 of such surveys shall be borne by the Company.

20 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
21 retary may require any additional terms and conditions
22 in connection with the conveyances under this section that
23 the Secretary considers appropriate to protect the interest
24 of the United States.

1 **SEC. 2838. LAND CONVEYANCE, NAVAL SURFACE WARFARE**
2 **CENTER, MEMPHIS, TENNESSEE.**

3 (a) **AUTHORITY TO CONVEY.**—The Secretary of the
4 Navy may convey to the Memphis and Shelby County Port
5 Commission, Memphis, Tennessee (in this section referred
6 to as the “Port”), all right, title, and interest of the Unit-
7 ed States in and to a parcel of real property (including
8 any improvements thereon) consisting of approximately 26
9 acres that is located at the Carderock Division, Naval Sur-
10 face Warfare Center, Memphis Detachment, Presidents Is-
11 land, Memphis, Tennessee.

12 (b) **CONSIDERATION.**—As consideration for the con-
13 veyance of real property under subsection (a), the Port
14 shall—

15 (1) grant to the United States a restrictive
16 easement in and to a parcel of real property consist-
17 ing of approximately 100 acres that is adjacent to
18 the Memphis Detachment, Presidents Island, Mem-
19 phis, Tennessee; and

20 (2) if the fair market value of the easement
21 granted under paragraph (1) exceeds the fair market
22 value of the real property conveyed under subsection
23 (a), provide the United States such additional con-
24 sideration as the Secretary and the Port jointly de-
25 termine appropriate so that the value of the consid-
26 eration received by the United States under this sub-

1 section is equal to or greater than the fair market
2 value of the real property conveyed under subsection
3 (a).

4 (c) CONDITION OF CONVEYANCE.—The conveyance
5 authorized by subsection (a) shall be carried out in accord-
6 ance with the provisions of the Land Exchange Agreement
7 between the United States of America and the Memphis
8 and Shelby County Port Commission, Memphis, Ten-
9 nessee.

10 (d) DETERMINATION OF FAIR MARKET VALUE.—
11 The Secretary shall determine the fair market value of the
12 real property to be conveyed under subsection (a) and of
13 the easement to be granted under subsection (b)(1). Such
14 determinations shall be final.

15 (e) USE OF PROCEEDS.—The Secretary shall deposit
16 any proceeds received under subsection (b)(2) as consider-
17 ation for the conveyance of real property authorized under
18 subsection (a) in the special account established pursuant
19 to section 204(h) of the Federal Property and Administra-
20 tive Services Act of 1949 (40 U.S.C. 485(h)).

21 (f) DESCRIPTION OF PROPERTY.—The exact acreage
22 and legal description of the real property to be conveyed
23 under subsection (a) and the easement to be granted
24 under subsection (b)(1) shall be determined by surveys

1 satisfactory to the Secretary. The cost of the surveys shall
2 be borne by the Port.

3 (g) ADDITIONAL TERMS AND CONDITIONS.—The
4 Secretary may require such additional terms and condi-
5 tions in connection with the conveyance authorized by sub-
6 section (a) and the easement granted under subsection
7 (b)(1) as the Secretary considers appropriate to protect
8 the interests of the United States.

9 **SEC. 2839. LAND CONVEYANCE, RADAR BOMB SCORING**
10 **SITE, FORSYTH, MONTANA.**

11 (a) AUTHORITY TO CONVEY.—The Secretary of the
12 Air Force may convey, without consideration, to the City
13 of Forsyth, Montana (in this section referred to as the
14 “City”), all right, title, and interest of the United States
15 in and to the parcel of property (including any improve-
16 ments thereon) consisting of approximately 58 acres lo-
17 cated in Forsyth, Montana, which has served as a support
18 complex and recreational facilities for the Radar Bomb
19 Scoring Site, Forsyth, Montana.

20 (b) CONDITION OF CONVEYANCE.—The conveyance
21 under subsection (a) shall be subject to the condition that
22 the City—

23 (1) utilize the property and recreational facili-
24 ties conveyed under that subsection for housing and
25 recreation purposes; or

1 (2) enter into an agreement with an appro-
2 priate public or private entity to lease such property
3 and facilities to that entity for such purposes.

4 (c) REVERSION.—If the Secretary determines at any
5 time that the property conveyed under subsection (a) is
6 not being utilized in accordance with paragraph (1) or
7 paragraph (2) of subsection (b), all right, title, and inter-
8 est in and to the conveyed property, including any im-
9 provements thereon, shall revert to the United States and
10 the United States shall have the right of immediate entry
11 onto the property.

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

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

22 **SEC. 2840. LAND CONVEYANCE, RADAR BOMB SCORING**
23 **SITE, POWELL, WYOMING.**

24 (a) AUTHORITY TO CONVEY.—The Secretary of the
25 Air Force may convey, without consideration, to the

1 Northwest College Board of Trustees (in this section re-
2 ferred to as the “Board”), all right, title, and interest of
3 the United States in and to a parcel of real property (in-
4 cluding any improvements thereon) consisting of approxi-
5 mately 24 acres located in Powell, Wyoming, which has
6 served as the location of a support complex, recreational
7 facilities, and housing facilities for the Radar Bomb Scor-
8 ing Site, Powell, Wyoming.

9 (b) CONDITION OF CONVEYANCE.—The conveyance
10 authorized under subsection (a) shall be subject to the
11 condition that the Board use the property conveyed under
12 that subsection for housing and recreation purposes and
13 for such other purposes as the Secretary and the Board
14 jointly determine appropriate.

15 (c) REVERSIONARY INTEREST.—During the 5-year
16 period beginning on the date that the Secretary makes the
17 conveyance authorized under subsection (a), if the Sec-
18 retary determines that the conveyed property is not being
19 used in accordance with subsection (b), all right, title, and
20 interest in and to the conveyed property, including any
21 improvements thereon, shall revert to the United States
22 and the United States shall have the right of immediate
23 entry onto the property.

24 (d) DESCRIPTION OF PROPERTY.—The exact acreage
25 and legal description of the property conveyed under this

1 section shall be determined by a survey satisfactory to the
2 Secretary. The cost of the survey shall be borne by the
3 Board.

4 (e) ADDITIONAL TERMS AND CONDITIONS.—The
5 Secretary may require such additional terms and condi-
6 tions in connection with the conveyance under this section
7 as the Secretary considers appropriate to protect the inter-
8 ests of the United States.

9 **SEC. 2841. REPORT ON DISPOSAL OF PROPERTY, FORT ORD**
10 **MILITARY COMPLEX, CALIFORNIA.**

11 Not later than 60 days after the date of the enact-
12 ment of this Act, the Secretary of Defense shall submit
13 to Congress a report describing the plans of the Secretary
14 for the disposal of a parcel of real property consisting of
15 approximately 477 acres at the former Fort Ord Military
16 Complex, California, including the Black Horse Golf
17 Course, the Bayonet Golf Course, and a portion of the
18 Hayes Housing Facility.

19 **SEC. 2842. LAND CONVEYANCE, NAVY PROPERTY, FORT**
20 **SHERIDAN, ILLINOIS.**

21 (a) AUTHORITY TO CONVEY.—Subject to subsections
22 (b) and (l), the Secretary of the Navy may convey to any
23 transferee selected under subsection (i) all right, title, and
24 interest of the United States in and to a parcel of real
25 property (including any improvements thereon) at Fort

1 Sheridan, Illinois, consisting of approximately 182 acres
2 and comprising the Navy housing areas at Fort Sheridan.

3 (b) REQUIREMENT FOR FEDERAL SCREENING OF
4 PROPERTY.—The Secretary may not carry out the convey-
5 ance of property authorized by subsection (a) unless the
6 Secretary determines that no department or agency of the
7 Federal Government will accept the transfer of the prop-
8 erty.

9 (c) CONSIDERATION.—(1) As consideration for the
10 conveyance under subsection (a), the transferee selected
11 under subsection (i) shall—

12 (A) convey to the United States a parcel of real
13 property that meets the requirements of subsection
14 (d);

15 (B) design for and construct on the property
16 conveyed under subparagraph (A) such housing fa-
17 cilities (including support facilities and infrastruc-
18 ture) to replace the housing facilities conveyed pur-
19 suant to the authority in subsection (a) as the Sec-
20 retary considers appropriate;

21 (C) pay the cost of relocating Navy personnel
22 residing in the housing facilities located on the real
23 property conveyed pursuant to the authority in sub-
24 section (a) to the housing facilities constructed
25 under subparagraph (B);

1 (D) provide for the education of dependents of
2 such personnel under subsection (e); and

3 (E) carry out such activities for the mainte-
4 nance and improvement of the facilities constructed
5 under subparagraph (B) as the Secretary and the
6 transferee jointly determine appropriate.

7 (2) The Secretary shall ensure that the fair market
8 value of the consideration provided by the transferee under
9 paragraph (1) is not less than the fair market value of
10 the property interest conveyed by the Secretary under sub-
11 section (a).

12 (d) REQUIREMENTS RELATING TO PROPERTY TO BE
13 CONVEYED TO UNITED STATES.—The property interest
14 conveyed to the United States under subsection (c)(1)(A)
15 by the transferee selected under subsection (i) shall—

16 (1) be located not more than 25 miles from the
17 Great Lakes Naval Training Center, Illinois;

18 (2) be located in a neighborhood or area having
19 social and economic conditions similar to the social
20 and economic conditions of the area in which Fort
21 Sheridan is located; and

22 (3) be acceptable to the Secretary.

23 (e) EDUCATION OF DEPENDENTS OF NAVY PERSON-
24 NEL.—In providing for the education of dependents of
25 Navy personnel under subsection (c)(1)(D), the transferee

1 selected under subsection (i) shall ensure that such de-
2 pendants may enroll at the schools of one or more school
3 districts in the vicinity of the real property conveyed to
4 the United States under subsection (c)(1)(A) which
5 schools and districts—

6 (1) meet such standards for schools and schools
7 districts as the Secretary shall establish; and

8 (2) will continue to meet such standards after
9 the enrollment of such dependents regardless of the
10 receipt by such school districts of Federal impact
11 aid.

12 (f) INTERIM RELOCATION OF NAVY PERSONNEL.—
13 Pending completion of the construction of all the housing
14 facilities proposed to be constructed under subsection
15 (c)(1)(B) by the transferee selected under subsection (i),
16 the Secretary may relocate Navy personnel residing in
17 housing facilities located on the property to be conveyed
18 pursuant to the authority in subsection (a) to the housing
19 facilities that have been constructed by the transferee
20 under such subsection (c)(1)(B).

21 (g) APPLICABILITY OF CERTAIN AGREEMENTS.—The
22 property conveyed by the Secretary pursuant to the au-
23 thority in subsection (a) shall be subject to the Memoran-
24 dum of Understanding concerning the Transfer of Certain
25 Properties at Fort Sheridan, Illinois, dated August 8,

1 1991, between the Department of the Army and the De-
2 partment of the Navy.

3 (h) DETERMINATION OF FAIR MARKET VALUE.—

4 The Secretary shall determine the fair market value of the
5 real property interest to be conveyed under subsection (a)
6 and of the consideration to be provided under subsection
7 (c)(1). Such determination shall be final.

8 (i) SELECTION OF TRANSFEREE.—(1) The Secretary
9 shall use competitive procedures for the selection of a
10 transferee under subsection (a).

11 (2) In evaluating the offers of prospective transferees,
12 the Secretary shall—

13 (A) consider the technical sufficiency of the of-
14 fers and the adequacy of the offers in meeting the
15 requirements for consideration set forth in sub-
16 section (c)(1); and

17 (B) consult with the communities and jurisdic-
18 tions in the vicinity of Fort Sheridan (including the
19 City of Lake Forest, the City of Highwood, and the
20 City of Highland Park and the County of Lake) in
21 order to determine the most appropriate use of the
22 property to be conveyed.

23 (j) DESCRIPTIONS OF PROPERTY.—The exact acre-
24 age and legal descriptions of the real property to be con-
25 veyed by the Secretary under subsection (a) and the real

1 property to be conveyed under subsection (c)(1)(A) shall
2 be determined by surveys satisfactory to the Secretary.
3 The cost of such surveys shall be borne by the transferee
4 selected under subsection (i).

5 (k) ADDITIONAL TERMS AND CONDITIONS.—The
6 Secretary may require such additional terms and condi-
7 tions in connection with the conveyances under this section
8 as the Secretary considers appropriate to protect the inter-
9 ests of the United States.

10 **SEC. 2843. LAND CONVEYANCE, ARMY RESERVE PROPERTY,**
11 **FORT SHERIDAN, ILLINOIS.**

12 (a) AUTHORITY TO CONVEY.—Subject to subsection
13 (b), the Secretary of the Army may convey to any trans-
14 feree selected under subsection (g) all right, title, and in-
15 terest of the United States in and to a parcel of real prop-
16 erty (including improvements thereon) at Fort Sheridan,
17 Illinois, consisting of approximately 114 acres and com-
18 prising an Army Reserve area.

19 (b) REQUIREMENT FOR FEDERAL SCREENING OF
20 PROPERTY.—The Secretary may not carry out the convey-
21 ance of property authorized by subsection (a) unless the
22 Secretary determines that no department or agency of the
23 Federal Government will accept the transfer of the prop-
24 erty.

1 (c) CONSIDERATION.—(1) As consideration for the
2 conveyance under subsection (a), the transferee selected
3 under subsection (g) shall—

4 (A) convey to the United States a parcel of real
5 property that meets the requirements of subsection
6 (d);

7 (B) design for and construct on the property
8 conveyed under subparagraph (A) such facilities (in-
9 cluding support facilities and infrastructure) to re-
10 place the facilities conveyed pursuant to the author-
11 ity in subsection (a) as the Secretary considers ap-
12 propriate; and

13 (C) pay the cost of relocating Army personnel
14 in the facilities located on the real property conveyed
15 pursuant to the authority in subsection (a) to the fa-
16 cilities constructed under subparagraph (B).

17 (2) The Secretary shall ensure that the fair market
18 value of the consideration provided by the transferee under
19 paragraph (1) is not less than the fair market value of
20 the real property conveyed by the Secretary under sub-
21 section (a).

22 (d) REQUIREMENTS RELATING TO PROPERTY TO BE
23 CONVEYED TO UNITED STATES.—The real property con-
24 veyed to the United States under subsection (c)(1)(A) by
25 the transferee selected under subsection (g) shall—

1 (1) be located not more than 25 miles from
2 Fort Sheridan;

3 (2) be located in a neighborhood or area having
4 social and economic conditions similar to the social
5 and economic conditions of the area in which Fort
6 Sheridan is located; and

7 (3) be acceptable to the Secretary.

8 (e) INTERIM RELOCATION OF ARMY PERSONNEL.—
9 Pending completion of the construction of all the facilities
10 proposed to be constructed under subsection (c)(1)(B) by
11 the transferee selected under subsection (g), the Secretary
12 may relocate Army personnel in the facilities located on
13 the property to be conveyed pursuant to the authority in
14 subsection (a) to the facilities that have been constructed
15 by the transferee under such subsection (c)(1)(B).

16 (f) DETERMINATION OF FAIR MARKET VALUE.—The
17 Secretary shall determine the fair market value of the real
18 property to be conveyed under subsection (a) and of the
19 consideration to be provided under subsection (c)(1). Such
20 determination shall be final.

21 (g) SELECTION OF TRANSFEREE.—(1) The Secretary
22 shall use competitive procedures for the selection of a
23 transferee under subsection (a).

24 (2) In evaluating the offers of prospective transferees,
25 the Secretary shall—

1 (A) consider the technical sufficiency of the of-
2 fers and the adequacy of the offers in meeting the
3 requirements for consideration set forth in sub-
4 section (c)(1); and

5 (B) consult with the communities and jurisdic-
6 tions in the vicinity of Fort Sheridan (including the
7 City of Lake Forest, the City of Highwood, and the
8 City of Highland Park and the County of Lake) in
9 order to determine the most appropriate use of the
10 property to be conveyed.

11 (h) DESCRIPTIONS OF PROPERTY.—The exact acre-
12 age and legal descriptions of the real property to be con-
13 veyed by the Secretary under subsection (a) and the real
14 property to be conveyed under subsection (c)(1)(A) shall
15 be determined by surveys satisfactory to the Secretary.
16 The cost of such surveys shall be borne by the transferee
17 selected under subsection (g).

18 (i) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
19 retary may require such additional terms and conditions
20 in connection with the conveyances under this section as
21 the Secretary considers appropriate to protect the inter-
22 ests of the United States.

1 **SEC. 2844. LAND CONVEYANCE, NAVAL COMMUNICATIONS**
2 **STATION, STOCKTON, CALIFORNIA.**

3 (a) **AUTHORITY TO CONVEY.**—The Secretary of the
4 Navy may, upon the concurrence of the Administrator of
5 General Services and the Secretary of Housing and Urban
6 Development, convey to the Port of Stockton (in this sec-
7 tion referred to as the “Port”), all right, title, and interest
8 of the United States in and to a parcel of real property,
9 including any improvements thereon, consisting of ap-
10 proximately 1,450 acres at the Naval Communication Sta-
11 tion, Stockton, California.

12 (b) **INTERIM LEASE.**—Until such time as the real
13 property described in subsection (a) is conveyed by deed,
14 the Secretary may lease the property, along with improve-
15 ments thereon, to the Port under terms and conditions
16 satisfactory to the Secretary.

17 (c) **CONSIDERATION.**—The conveyance may be as a
18 public benefit conveyance for port development as defined
19 in section 203 of the Federal Property and Administrative
20 Services Act of 1949 (40 U.S.C. 484), as amended, pro-
21 vided the Port satisfies the criteria in section 203 and
22 such regulations as the Administrator of General Services
23 may prescribe to implement that section. Should the Port
24 fail to qualify for a public benefit conveyance and still de-
25 sire to acquire the property, then the Port shall, as consid-
26 eration for the conveyance, pay to the United States an

1 amount equal to the fair market value of the property to
2 be conveyed, as determined by the Secretary.

3 (d) FEDERAL LEASE OF CONVEYED PROPERTY.—
4 Notwithstanding any other provision of law, as a condition
5 for transfer of this property under subparagraph (a), the
6 Secretary may require that the Port agree to lease all or
7 a part of the property currently under Federal use at the
8 time of conveyance to the United States for use by the
9 Department of Defense or any other Federal agency under
10 the same terms and conditions now presently in force.
11 Such terms and conditions will continue to include pay-
12 ment (to the Port) for maintenance of facilities leased to
13 the Federal Government. Such maintenance of the Federal
14 premises shall be to the reasonable satisfaction of the
15 United States, or as required by all applicable Federal,
16 State and local laws and ordinances.

17 (e) DESCRIPTION OF PROPERTY.—The exact acreage
18 and legal description of the property to be conveyed under
19 subsection (a) shall be determined by a survey satisfactory
20 to the Secretary. The cost of such survey shall be borne
21 by Port

22 (f) ADDITIONAL TERMS.—The Secretary may require
23 such additional terms and conditions in connection with
24 the conveyance under subsection (a) or the lease under

1 subsection (b) as the Secretary considers appropriate to
2 protect the interests of the United States.

3 (g) ENVIRONMENTAL QUALITY OF PROPERTY.—Any
4 contract for sale, deed, or other transfer of real property
5 under this section shall be carried out in compliance with
6 section 120(h) of the CERCLA (42 U.S.C. 9620(h)) and
7 other environmental laws.

8 **SEC. 2845. LAND CONVEYANCE, WILLIAM LANGER JEWEL**
9 **BEARING PLANT, ROLLA, NORTH DAKOTA.**

10 (a) AUTHORITY TO CONVEY.—The Administrator of
11 General Services may convey, without consideration, to the
12 Job Development Authority of the City of Rolla, North
13 Dakota (in this section referred to as the “Authority”),
14 all right, title, and interest of the United States in and
15 to a parcel of real property, with improvements thereon
16 and all associated personal property, consisting of approxi-
17 mately 9.77 acres and comprising the William Langer
18 Jewel Bearing Plant in Rolla, North Dakota.

19 (b) CONDITION OF CONVEYANCE.—The conveyance
20 authorized under subsection (a) shall be subject to the
21 condition that the Authority—

22 (1) use the real and personal property and im-
23 provements conveyed under that subsection for eco-
24 nomic development relating to the jewel bearing
25 plant;

1 (2) enter into an agreement with an appro-
2 priate public or private entity or person to lease
3 such property and improvements to that entity or
4 person for such economic development; or

5 (3) enter into an agreement with an appro-
6 priate public or private entity or person to sell such
7 property and improvements to that entity or person
8 for such economic development.

9 (c) PREFERENCE FOR DOMESTIC DISPOSAL OF
10 JEWEL BEARINGS.—(1) In offering to enter into agree-
11 ments pursuant to any provision of law for the disposal
12 of jewel bearings from the National Defense Stockpile, the
13 President shall give a right of first refusal on all such of-
14 fers to the Authority or to the appropriate public or pri-
15 vate entity or person with which the Authority enters into
16 an agreement under subsection (b).

17 (2) For the purposes of this section, the term “Na-
18 tional Defense Stockpile” means the stockpile provided for
19 in section 4 of the Strategic and Critical Materials Stock
20 Piling Act (50 U.S.C. 98(c)).

21 (d) AVAILABILITY OF FUNDS FOR MAINTENANCE
22 AND CONVEYANCE OF PLANT.—Notwithstanding any
23 other provision of law, funds available in fiscal year 1995
24 for the maintenance of the William Langer Jewel Bearing
25 Plant in Public Law 103–335 shall be available for the

1 maintenance of that plant in fiscal year 1996, pending
2 conveyance, and for the conveyance of that plant under
3 this section.

4 (e) DESCRIPTION OF PROPERTY.—The exact acreage
5 and legal description of the property conveyed under this
6 section shall be determined by a survey satisfactory to the
7 Administrator. The cost of such survey shall be borne by
8 the Administrator.

9 (f) ADDITIONAL TERMS AND CONDITIONS.—The Ad-
10 ministrator may require such additional terms and condi-
11 tions in connection with the conveyance under this section
12 as the Administrator determines appropriate to protect
13 the interests of the United States.

14 **SEC. 2846. LAND EXCHANGE, UNITED STATES ARMY RE-**
15 **SERVE CENTER, GAINESVILLE, GEORGIA.**

16 (a) IN GENERAL.—The Secretary of the Army may
17 convey to the City of Gainesville, Georgia (in this section
18 referred to as the “City”), all right, title, and interest of
19 the United States in and to a parcel of real property (to-
20 gether with any improvements thereon) consisting of ap-
21 proximately 4.2 acres located on Shallowford Road, in the
22 City of Gainesville, Georgia.

23 (b) CONSIDERATION.—As consideration for the con-
24 veyance authorized by subsection (a), the city shall—

1 (1) convey to the United States all right, title,
2 and interest in and to a parcel of real property con-
3 sisting of approximately 8 acres of land, acceptable
4 to the Secretary, in the Atlas Industrial Park,
5 Gainesville, Georgia;

6 (2) design and construct on such real property
7 suitable replacement facilities in accordance with the
8 requirements of the Secretary, for the training ac-
9 tivities of the United States Army Reserve;

10 (3) fund and perform any environmental and
11 cultural resource studies, analysis, documentation
12 that may be required in connection with the land ex-
13 change and construction considered by this section;

14 (4) reimburse the Secretary for the costs of re-
15 locating the United States Army Reserve units from
16 the real property to be conveyed under subsection
17 (a) to the replacement facilities to be constructed by
18 the City under subsection (b)(2). The Secretary shall
19 deposit such funds in the same account used to pay
20 for the relocation;

21 (5) pay to the United States an amount as may
22 be necessary to ensure that the fair market value of
23 the consideration provided by the City under this
24 subsection is not less than fair market value of the

1 parcel of real property conveyed under subsection
2 (a); and

3 (6) assume all environmental liability under the
4 Comprehensive Environmental Response, Compensation,
5 and Liability Act (42 U.S.C. 9620(h)) for the
6 real property to be conveyed under subsection (b)(1).

7 (c) DETERMINATION OF FAIR MARKET VALUE.—The
8 determination of the Secretary regarding the fair market
9 value of the real property to be conveyed pursuant to sub-
10 section (a), and of any other consideration provided by the
11 City under subsection (b), shall be final.

12 (d) DESCRIPTION OF PROPERTY.—The exact acreage
13 and legal description of the parcels of real property to be
14 conveyed under subsections (a) and (b) shall be deter-
15 mined by surveys satisfactory to the Secretary. The cost
16 of such surveys shall be borne by the City.

17 (e) ADDITIONAL TERMS AND CONDITIONS.—The
18 Secretary may require any additional terms and conditions
19 in connection with the conveyances under this section that
20 the Secretary considers appropriate to protect the interest
21 of the United States.

1 **Subtitle D—Transfer of Jurisdic-**
2 **tion and Establishment of**
3 **Midewin National Tallgrass**
4 **Prairie**

5 **SEC. 2851. SHORT TITLE.**

6 This subtitle may be cited as the “Illinois Land Con-
7 servation Act of 1995”.

8 **SEC. 2852. DEFINITIONS.**

9 As used in this subtitle:

10 (1) The term “Administrator” means the Ad-
11 ministrator of the Environmental Protection Agency.

12 (2) The term “agricultural purposes” means,
13 with respect to land, the use of land for row crops,
14 pasture, hay, or grazing.

15 (3) The term “Arsenal” means the Joliet Army
16 Ammunition Plant located in the State of Illinois.

17 (4) The term “Arsenal Land Use Concept” re-
18 fers to the proposals that were developed and unani-
19 mously approved on April 8, 1994, by the Joliet Ar-
20 senal Citizen Planning Commission.

21 (5) The term “CERCLA” means the Com-
22 prehensive Environmental Response, Compensation,
23 and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

24 (6) The term “Defense Environmental Restora-
25 tion Program” means the Defense Environmental

1 Restoration Program established under section 2701
2 of title 10, United States Code.

3 (7) The term “environmental law” means all
4 applicable Federal, State, and local laws, regula-
5 tions, and requirements related to the protection of
6 human health, natural and cultural resources, or the
7 environment, including—

8 (A) CERCLA;

9 (B) the Solid Waste Disposal Act (42
10 U.S.C. 6901 et seq.);

11 (C) the Federal Water Pollution Control
12 Act (commonly known as the “Clean Water
13 Act”; 33 U.S.C. 1251 et seq.);

14 (D) the Clean Air Act (42 U.S.C. 7401 et
15 seq.);

16 (E) the Federal Insecticide, Fungicide, and
17 Rodenticide Act (7 U.S.C. 136 et seq.);

18 (F) the Toxic Substances Control Act (15
19 U.S.C. 2601 et seq.); and

20 (G) title XIV of the Public Health Service
21 Act (commonly known as the “Safe Drinking
22 Water Act”) (42 U.S.C. 300f et seq.).

23 (8) The term “hazardous substance” has the
24 meaning given the term in section 101(14) of
25 CERCLA (42 U.S.C. 9601(14)).

1 (9) The term “MNP” means the Midewin Na-
2 tional Tallgrass Prairie established under section
3 2853 and managed as part of the National Forest
4 System.

5 (10) The term “national cemetery” means a
6 cemetery that is part of the National Cemetery Sys-
7 tem under chapter 24 of title 38, United States
8 Code.

9 (11) The term “person” has the meaning given
10 the term in section 101(21) of CERCLA (42 U.S.C.
11 9601(21)).

12 (12) The term “pollutant or contaminant” has
13 the meaning given the term in section 101(33) of
14 CERCLA (42 U.S.C. 9601(33)).

15 (13) The term “release” has the meaning given
16 the term in section 101(22) of CERCLA (42 U.S.C.
17 9601(22)).

18 (14) The term “response” has the meaning
19 given the term in section 101(25) of CERCLA (42
20 U.S.C. 9601(25)).

21 (15) The term “Secretary” means the Secretary
22 of Agriculture.

1 **SEC. 2853. ESTABLISHMENT OF MIDEWIN NATIONAL**
2 **TALLGRASS PRAIRIE.**

3 (a) ESTABLISHMENT.—On the date of the initial
4 transfer of jurisdiction of portions of the Arsenal to the
5 Secretary under section 2854(a)(1), the Secretary shall es-
6 tablish the MNP described in subsection (b).

7 (b) DESCRIPTION.—The MNP shall consist of all por-
8 tions of the Arsenal transferred to the Secretary under
9 this subtitle.

10 (c) ADMINISTRATION.—The Secretary shall manage
11 the MNP as a part of the National Forest System in ac-
12 cordance with this subtitle and the laws, rules, and regula-
13 tions pertaining to the National Forests, except that the
14 Bankhead-Jones Farm Tenant Act (7 U.S.C. 1000 et
15 seq.) shall not apply to the MNP.

16 (d) LAND ACQUISITION FUNDS.—Notwithstanding
17 section 7 of the Land and Water Conservation Fund Act
18 of 1965 (16 U.S.C. 460l–9), money appropriated from the
19 land and water conservation fund established under sec-
20 tion 2 of that Act (16 U.S.C. 460l–5) may be used for
21 acquisition of lands and interests in land for inclusion in
22 the MNP.

23 (e) LAND AND RESOURCE MANAGEMENT PLAN.—
24 The Secretary shall develop a land and resource manage-
25 ment plan for the MNP, after consulting with the Illinois
26 Department of Conservation and local governments adja-

1 cent to the MNP and providing an opportunity for public
2 comment.

3 (f) PRE-PLAN MANAGEMENT.—In order to expedite
4 the administration and public use of the MNP, the Sec-
5 retary may, prior to the development of a land and re-
6 source management plan for the MNP under subsection
7 (e), manage the MNP for the purposes described in sub-
8 section (g).

9 (g) PURPOSES OF MNP.—In establishing the MNP,
10 the Secretary shall—

11 (1) conserve and enhance populations and habi-
12 tats of fish, wildlife, and plants, including popu-
13 lations of grassland birds, raptors, passerines, and
14 marsh and water birds;

15 (2) restore and enhance, where practicable,
16 habitats for species listed as threatened or endan-
17 gered, or proposed to be listed, under section 4 of
18 the Endangered Species Act of 1973 (16 U.S.C.
19 1533);

20 (3) provide fish- and wildlife-oriented public
21 uses at levels compatible with the conservation, en-
22 hancement, and restoration of native wildlife and
23 plants and the habitats of native wildlife and plants;

24 (4) provide opportunities for scientific research;

1 (5) provide opportunities for environmental and
2 land use education;

3 (6) manage the land and water resources of the
4 MNP in a manner that will conserve and enhance
5 the natural diversity of native fish, wildlife, and
6 plants;

7 (7) conserve and enhance the quality of aquatic
8 habitat; and

9 (8) provide for public recreation insofar as the
10 recreation is compatible with paragraphs (1) through
11 (7).

12 (h) PROHIBITION AGAINST THE CONSTRUCTION OF
13 NEW THROUGH ROADS.—(1) Subject to paragraph (2),
14 no new construction of a highway, public road, or part
15 of the interstate system, whether Federal, State, or local,
16 shall be permitted through or across any portion of the
17 MNP.

18 (2) This subsection does not preclude—

19 (A) construction and maintenance of roads for
20 use within the MNP;

21 (B) the granting of authorizations for utility
22 rights-of-way under applicable Federal, State, or
23 local law;

1 (C) necessary access by the Secretary of the
2 Army for purposes of restoration and cleanup as
3 provided in this subtitle;

4 (D) such other access as is necessary.

5 (i) AGRICULTURAL LEASES AND SPECIAL USE AU-
6 THORIZATIONS.—(1) If, at the time of transfer of jurisdic-
7 tion under section 2854(a), there exists a lease issued by
8 the Secretary of the Army, Secretary of Defense, or an
9 employee of the Secretary of the Army or the Secretary
10 of Defense, for agricultural purposes on the land trans-
11 ferred, the Secretary, on the transfer of jurisdiction, shall
12 issue a special use authorization. Subject to paragraph
13 (3), the terms of the special use authorization shall be
14 identical in substance to the lease, including terms pre-
15 scribing the expiration date and any payments owed to
16 the United States. On issuance of the special use author-
17 ization, the lease shall become void.

18 (2) The Secretary may issue a special use authoriza-
19 tion to a person for use of the MNP for agricultural pur-
20 poses. The special use authorization shall require payment
21 of a rental fee, in advance, that is based on the fair market
22 value of the use allowed. Fair market value shall be deter-
23 mined by appraisal or a competitive bidding process. Sub-
24 ject to paragraph (3), the special use authorization shall

1 include such terms and conditions as the Secretary consid-
2 ers appropriate.

3 (3) No special use authorization shall be issued under
4 this subsection that has a term extending beyond the date
5 that is 20 years after the date of enactment of this Act,
6 unless the special use authorization is issued primarily for
7 purposes related to—

8 (A) erosion control;

9 (B) provision for food and habitat for fish and
10 wildlife; or

11 (C) resource management activities consistent
12 with the purposes of the MNP.

13 (j) TREATMENT OF RENTAL FEES.—Funds received
14 under a special use authorization issued under subsection
15 (i) shall be subject to distribution to the State of Illinois
16 and affected counties in accordance with the Act of May
17 23, 1908 (35 Stat. 260, chapter 192; 16 U.S.C. 500) and
18 section 13 of the Act of March 1, 1911 (36 Stat. 963,
19 chapter 186; 16 U.S.C. 500). All funds not distributed
20 under such Acts shall be credited to an MNP Rental Fee
21 Account, to be maintained by the Secretary of the Treas-
22 ury. Amounts in the Account shall remain available until
23 expended, without fiscal year limitation. The Secretary
24 may use funds in the Account to carry out prairie-im-
25 provement work. Any funds in the account that the Sec-

1 retary determines to be in excess of the cost of doing prai-
2 rie-improvement work shall be transferred, on the deter-
3 mination, to miscellaneous receipts, Forest Service Fund,
4 as a National Forest receipt for the fiscal year in which
5 the transfer is made.

6 (k) USER FEES.—The Secretary may charge reason-
7 able fees for the admission, occupancy, and use of the
8 MNP and may prescribe a fee schedule providing for a
9 reduction or a waiver of fees for a person engaged in an
10 activity authorized by the Secretary, including volunteer
11 services, research, or education. The Secretary shall per-
12 mit admission, occupancy, and use of the MNP at no
13 charge for a person possessing a valid Golden Eagle Pass-
14 port or Golden Age Passport.

15 (l) SALVAGE OF IMPROVEMENTS.—The Secretary
16 may sell for salvage value any facility or improvement that
17 is transferred to the Secretary under this subtitle.

18 (m) TREATMENT OF USER FEES AND SALVAGE RE-
19 CEIPTS.—Funds collected under subsections (k) and (l)
20 shall be credited to a Midewin National Tallgrass Prairie
21 Restoration Fund, to be maintained by the Secretary of
22 the Treasury. Amounts in the Fund shall remain available,
23 subject to appropriation, without fiscal year limitation.
24 The Secretary may use amounts in the Fund for restora-
25 tion and administration of the MNP, including construc-

tion of a visitor and education center, restoration of ecosystems, construction of recreational facilities (such as trails), construction of administrative offices, and operation and maintenance of the MNP.

(n) COOPERATION WITH STATES, LOCAL GOVERNMENTS, AND OTHER ENTITIES.—In the management of the MNP, the Secretary shall, to the extent practicable, cooperate with affected appropriate Federal, State, and local governmental agencies, private organizations, and corporations. The cooperation may include entering a cooperative agreement or exercising authority under the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101 et seq.) or the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1641 et seq.). The purpose of the cooperation may include public education, land and resource protection, or cooperative management among government, corporate, and private landowners in a manner that is consistent with this subtitle.

**SEC. 2854. TRANSFER OF MANAGEMENT RESPONSIBILITIES
AND JURISDICTION OVER ARSENAL.**

(a) PHASED TRANSFER OF JURISDICTION.—(1) Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army may transfer to the Secretary of Agriculture those portions of the Arsenal property identified for transfer to the Secretary of Agri-

1 culture under subsection (c), and may transfer to the Sec-
2 retary of Veterans Affairs those portions identified for
3 transfer to the Secretary of Veterans Affairs under section
4 2855(a). In the case of the Arsenal property to be trans-
5 ferred to the Secretary of Agriculture, the Secretary of
6 the Army shall transfer to the Secretary of Agriculture
7 only those portions for which the Secretary of the Army
8 and the Administrator concur in finding that no further
9 action is required under any environmental law and that
10 have been eliminated from the areas to be further studied
11 pursuant to the Defense Environmental Restoration Pro-
12 gram for the Arsenal. Not later than 120 days after the
13 date of the enactment of this Act, the Secretary of the
14 Army and the Administrator shall provide to the Sec-
15 retary—

16 (A) all documentation that exists on the date
17 the documentation is provided that supports the
18 finding; and

19 (B) all information that exists on the date the
20 information is provided that relates to the environ-
21 mental conditions of the portions of the Arsenal to
22 be transferred to the Secretary under this para-
23 graph.

24 (2)(A) The Secretary of the Army may transfer to
25 the Secretary of Agriculture any portion of the property

1 generally identified in subsection (c) and not transferred
2 pursuant to paragraph (1) when the Secretary of the
3 Army and the Administrator concur in finding that no fur-
4 ther action is required at that portion of property under
5 any environmental law and that the portion has been
6 eliminated from the areas to be further studied pursuant
7 to the Defense Environmental Restoration Program for
8 the Arsenal.

9 (B) Not later than 60 days before a transfer under
10 this paragraph, the Secretary of the Army and the Admin-
11 istrator shall provide to the Secretary—

12 (i) all documentation that exists on the date the
13 documentation is provided that supports the finding;
14 and

15 (ii) all information that exists on the date the
16 information is provided that relates to the environ-
17 mental conditions of the portions of the Arsenal to
18 be transferred to the Secretary under this para-
19 graph.

20 (C) Transfer of jurisdiction under this paragraph
21 may be accomplished on a parcel-by-parcel basis.

22 (b) TRANSFER WITHOUT REIMBURSEMENT.—The
23 Secretary of the Army may transfer the area constituting
24 the MNP to the Secretary without reimbursement.

1 (c) IDENTIFICATION OF PORTIONS FOR TRANSFER
2 FOR MNP.—The lands to be transferred to the Secretary
3 under subsection (a) shall be identified in an agreement
4 between the Secretary of the Army and the Secretary. All
5 the real property and improvements comprising the Arse-
6 nal, except for lands and facilities described in subsection
7 (g) or designated for transfer or disposal to parties other
8 than the Secretary under section 2855, shall be trans-
9 ferred to the Secretary.

10 (d) SECURITY MEASURES.—The Secretary, the Sec-
11 retary of the Army, and the Secretary of Veterans Affairs,
12 shall each provide and maintain physical and other secu-
13 rity measures on such portion of the Arsenal as is under
14 the administrative jurisdiction of the respective Secretary.
15 The security measures (which may include fences and nat-
16 ural barriers) shall include measures to prevent members
17 of the public from gaining unauthorized access to such
18 portions of the Arsenal as are under the administrative
19 jurisdiction of each respective Secretary and that may en-
20 danger health or safety.

21 (e) COOPERATIVE AGREEMENTS.—The Secretary,
22 the Secretary of the Army, and the Administrator individ-
23 ually and collectively may enter into a cooperative agree-
24 ment or a memoranda of understanding among each other,
25 with another affected Federal agency, State or local gov-

1 ernment, private organization, or corporation to carry out
2 the purposes described in section 2853(g).

3 (f) INTERIM ACTIVITIES OF THE SECRETARY.—Prior
4 to transfer and subject to such reasonable terms and con-
5 ditions as the Secretary of the Army may prescribe, the
6 Secretary may enter on the Arsenal property for purposes
7 related to planning, resource inventory, fish and wildlife
8 habitat manipulation (which may include prescribed burn-
9 ing), and other such activities consistent with the purposes
10 for which the MNP is established.

11 (g) PROPERTY USED FOR ENVIRONMENTAL CLEAN-
12 UP.—(1) The Secretary of the Army shall retain jurisdic-
13 tion, authority, and control over real property at the Arse-
14 nal that is used for—

15 (A) water treatment;

16 (B) the treatment, storage, or disposal of a haz-
17 ardous substance, pollutant or contaminant, hazard-
18 ous material, or petroleum product or a derivative of
19 the product;

20 (C) purposes related to a response at the Arse-
21 nal; and

22 (D) actions required at the Arsenal under an
23 environmental law to remediate contamination or
24 conditions of noncompliance with an environmental
25 law.

1 (2) In the case of a conflict between management of
2 the property by the Secretary and a response or other ac-
3 tion required under an environmental law, or necessary
4 to remediate a petroleum product or a derivative of the
5 product, the response or other action shall take priority.

6 (3)(A) All costs of necessary surveys for the transfer
7 of jurisdiction of a property to a Federal agency under
8 this subtitle shall be borne by the agency to which the
9 property is transferred.

10 (B) The Secretary of the Army shall bear the costs
11 of any surveys necessary for the transfer of land to a non-
12 Federal agency under section 2855.

13 **SEC. 2855. DISPOSAL FOR INDUSTRIAL PARKS, A COUNTY**
14 **LANDFILL, AND A NATIONAL VETERANS CEM-**
15 **ETERY AND TO THE ADMINISTRATOR OF**
16 **GENERAL SERVICES.**

17 (a) NATIONAL VETERANS CEMETERY.—The Sec-
18 retary of the Army may convey to the Department of Vet-
19 erans Affairs, without compensation, an area of real prop-
20 erty to be used for a national cemetery, as authorized
21 under section 2337 of the Military Construction Author-
22 ization Act, 1988 and 1989 (division B of Public Law
23 100–180; 101 Stat. 1225), consisting of approximately
24 910 acres, the approximate legal description of which in-
25 cludes part of sections 30 and 31 Jackson Township, T.

1 34 N. R. 10 E., and including part of sections 25 and
2 36 Channahon Township, T. 34 N. R. 9 E., Will County,
3 Illinois, as depicted on the Arsenal Land Use Concept.

4 (b) COUNTY OF WILL LANDFILL.—(1) Subject to
5 paragraphs (2) through (6), the Secretary of the Army
6 may convey an area of real property to Will County, Illi-
7 nois, without compensation, to be used for a landfill by
8 the County, consisting of approximately 425 acres of the
9 Arsenal, the approximate legal description of which in-
10 cludes part of sections 8 and 17, Florence Township, T.
11 33 N. R. 10 E., Will County, Illinois, as depicted in the
12 Arsenal Land Use Concept.

13 (2) Additional acreage shall be added to the landfill
14 described in paragraph (1) as is necessary to reasonably
15 accommodate needs for the disposal of refuse and other
16 materials from the restoration and cleanup of the Arsenal
17 property.

18 (3) Use of the landfill described in paragraph (1) or
19 additional acreage under paragraph (2) by any agency of
20 the Federal Government shall be at no cost to the Federal
21 Government.

22 (4) The Secretary of the Army may require such ad-
23 ditional terms and conditions in connection with a convey-
24 ance under this subsection as the Secretary of the Army

1 considers appropriate to protect the interests of the Unit-
2 ed States.

3 (5) Any conveyance of real property under this sub-
4 section shall contain a reversionary interest that provides
5 that the property shall revert to the Secretary of Agri-
6 culture for inclusion in the MNP if the property is not
7 operated as a landfill.

8 (6) Liability for environmental conditions at or relat-
9 ed to the landfill described in paragraph (1) resulting from
10 activities occurring at the landfill after the date of enact-
11 ment of this Act and before a revision under paragraph
12 (5) shall be borne by Will County.

13 (c) VILLAGE OF ELWOOD INDUSTRIAL PARK.—The
14 Secretary of the Army may convey an area of real property
15 to the Village of Elwood, Illinois, to be used for an indus-
16 trial park, consisting of approximately 1,900 acres of the
17 Arsenal, the approximate legal description of which in-
18 cludes part of section 30, Jackson Township, T. 34 N.
19 R. 10 E., and sections or part of sections 24, 25, 26, 35,
20 and 36 Channahon Township, T. 34 N. R. 9 E., Will
21 County, Illinois, as depicted on the Arsenal Land Use
22 Concept. The conveyance shall be at fair market value,
23 as determined in accordance with Federal appraisal stand-
24 ards and procedures. Any funds received by the Village
25 of Elwood from the sale or other transfer of the property,

1 or portions of the property, less any costs expended for
2 improvements on the property, shall be remitted to the
3 Secretary of the Army.

4 (d) CITY OF WILMINGTON INDUSTRIAL PARK.—The
5 Secretary of the Army may convey an area of real property
6 to the City of Wilmington, Illinois, to be used for an indus-
7 trial park, consisting of approximately 1,100 acres of the
8 Arsenal, the approximate legal description of which in-
9 cludes part of sections 16, 17, and 18 Florence Township,
10 T. 33 N. R. 10 E., Will County, Illinois, as depicted on
11 the Arsenal Land Use Concept. The conveyance shall be
12 at fair market value, as determined in accordance with
13 Federal appraisal standards and procedures. Any funds
14 received by the City of Wilmington from the sale or other
15 transfer of the property, or portions of the property, less
16 any costs expended for improvements on the property,
17 shall be remitted to the Secretary of the Army.

18 (e) OPTIONAL ADDITIONAL AREAS.—(1) Not later
19 than 180 days after the construction and installation of
20 any remedial design approved by the Administrator and
21 required for any lands described in paragraph (2), the Ad-
22 ministrator shall provide to the Secretary all information
23 existing on the date the information is provided regarding
24 the implementation of the remedy, including information
25 regarding the effectiveness of the remedy. Not later than

1 180 days after the Administrator provides the information
2 to the Secretary, the Secretary of the Army shall offer
3 the Secretary the option of accepting a conveyance of the
4 areas described in paragraph (2), without reimbursement,
5 to be added to the MNP subject to the terms and condi-
6 tions, including the limitations on liability, contained in
7 this subtitle. If the Secretary declines the offer, the prop-
8 erty may be disposed of as the Secretary of the Army
9 would ordinarily dispose of the property under applicable
10 provisions of law. The conveyance of property under this
11 paragraph may be accomplished on a parcel-by-parcel
12 basis.

13 (2)(A) The areas on the Arsenal Land Use Concept
14 that may be conveyed under paragraph (1) are—

- 15 (i) manufacturing area, study area 1, southern
16 ash pile;
- 17 (ii) study area 2, explosive burning ground;
- 18 (iii) study area 3, flashing-grounds;
- 19 (iv) study area 4, lead azide area;
- 20 (v) study area 10, toluene tank farms;
- 21 (vi) study area 11, landfill;
- 22 (vii) study area 12, sellite manufacturing area;
- 23 (viii) study area 14, former pond area;
- 24 (ix) study area 15, sewage treatment plant;

- 1 (x) study area L1, load assemble packing area,
2 group 61;
- 3 (xi) study area L2, explosive burning ground;
4 (xii) study area L3, demolition area;
5 (xiii) study area L4, landfill area;
6 (xiv) study area L5, salvage yard;
7 (xv) study area L7, group 1;
8 (xvi) study area L8, group 2;
9 (xvii) study area L9, group 3;
10 (xviii) study area L10, group 3A;
11 (xix) study area L12, Doyle Lake;
12 (xx) study area L14, group 4;
13 (xxi) study area L15, group 5;
14 (xxii) study area L18, group 8;
15 (xxiii) study area L19, group 9;
16 (xxiv) study area L20, group 20;
17 (xxv) study area L22, group 25;
18 (xxvi) study area L23, group 27;
19 (xxvii) study area L25, group 62;
20 (xxviii) study area L31, extraction pits;
21 (xxix) study area L33, PVC area;
22 (xxx) study area L34, former burning area; and
23 (xxxi) study area L35, fill area.
- 24 (B) The areas referred to in subparagraph (A) shall
25 include all associated inventoried buildings and structures

1 as identified in the Joliet Army Ammunition Plant
2 Plantwide Building and Structures Report and the con-
3 taminate study sites for both the manufacturing and load
4 assembly and packing sides of the Joliet Arsenal as shown
5 in the Dames and Moore Final Report, Phase 2 Remedial
6 Investigation Manufacturing (MFG) Area Joliet Army
7 Ammunition Plant Joliet, Illinois (May 30, 1993. Contract
8 No. DAAA15-90-D-0015 task order No. 6 prepared for:
9 United States Army Environmental Center).

10 (C) Notwithstanding subparagraphs (A) and (B), the
11 landfill and national cemetery described in paragraphs (3)
12 and (4) shall not be subject to paragraph (1).

13 **SEC. 2856. CONTINUATION OF RESPONSIBILITY AND LI-**
14 **ABILITY OF THE SECRETARY OF THE ARMY**
15 **FOR ENVIRONMENTAL CLEANUP.**

16 (a) RESPONSIBILITY.—The Secretary of the Army
17 shall retain the responsibility to complete any remedial,
18 response, or other restoration actions required under any
19 environmental law in order to carry out a transfer of prop-
20 erty under section 2854 before carrying out the transfer
21 of the property under that section.

22 (b) LIABILITY FOR ARSENAL.—(1) The Secretary of
23 the Army shall retain any obligation or other liability at
24 the Arsenal that the Secretary had under CERCLA and
25 other environmental laws. Following transfer of a portion

1 of the Arsenal under this subtitle, the Secretary of the
2 Army shall be accorded any easement or access to the
3 property that may be reasonably required to carry out the
4 obligation or satisfy the liability.

5 (2) The Secretary of Agriculture shall not be respon-
6 sible for the cost of any remedial, response, or other res-
7 toration action required under any environmental law for
8 a matter that is related directly or indirectly to an activity
9 of the Secretary of the Army, or a party acting under the
10 authority of the Secretary of the Army, in connection with
11 the Defense Environmental Restoration Program, at or re-
12 lated to the Arsenal, including—

13 (A) the costs or performance of responses re-
14 quired under CERCLA;

15 (B) the costs, penalties, or fines related to non-
16 compliance with an environmental law at or related
17 to the Arsenal or related to the presence, release, or
18 threat of release of a, hazardous substance, pollutant
19 or contaminant, hazardous waste, or hazardous ma-
20 terial of any kind at or related to the Arsenal, in-
21 cluding contamination resulting from migration of a
22 hazardous substance, pollutant or contaminant, a
23 hazardous material, or a petroleum product or a de-
24 rivative of the product disposed during an activity of
25 the Secretary of the Army; and

1 (C) the costs of an action necessary to remedy
2 noncompliance or another problem specified in sub-
3 paragraph (B).

4 (c) PAYMENT OF RESPONSE COSTS.—A Federal
5 agency that had or has operations at the Arsenal resulting
6 in the release or threatened release of a hazardous sub-
7 stance or pollutant or contaminant shall pay the cost of
8 a related response and shall pay the costs of a related ac-
9 tion to remediate petroleum products or the derivatives of
10 the products, including motor oil and aviation fuel.

11 (d) CONSULTATION.—The Secretary shall consult
12 with the Secretary of the Army with respect to the man-
13 agement by the Secretary of real property included in the
14 MNP subject to a response or other action at the Arsenal
15 being carried out by or under the authority of the Sec-
16 retary of the Army under any environmental law. The Sec-
17 retary shall consult with the Secretary of the Army prior
18 to undertaking an activity on the MNP that may disturb
19 the property to ensure that the activity shall not exacer-
20 bate contamination problems or interfere with perform-
21 ance by the Secretary of the Army of a response at the
22 property.

1 **SEC. 2857. DEGREE OF ENVIRONMENTAL CLEANUP.**

2 (a) IN GENERAL.—Nothing in this subtitle shall re-
3 strict or lessen the degree of cleanup at the Arsenal re-
4 quired to be carried out under any environmental law.

5 (b) RESPONSE.—The establishment of the MNP shall
6 not restrict or lessen in any way a response or degree of
7 cleanup required under CERCLA or other environmental
8 law, or a response required under any environmental law
9 to remediate petroleum products or the derivatives of the
10 products, including motor oil and aviation fuel, required
11 to be carried out by the Secretary of the Army at the Arse-
12 nal or surrounding areas.

13 (c) ENVIRONMENTAL QUALITY OF PROPERTY.—Any
14 contract for sale, deed, or other transfer of real property
15 under section 2855 shall be carried out in compliance with
16 section 120(h) of the CERCLA (42 U.S.C. 9620(h)) and
17 other environmental laws.

18 **Subtitle E—Other Matters**

19 **SEC. 2861. DEPARTMENT OF DEFENSE LABORATORY REVI-**
20 **TALIZATION DEMONSTRATION PROGRAM.**

21 (a) PROGRAM REQUIRED.—The Secretary of Defense
22 shall carry out a program for the revitalization of Depart-
23 ment of Defense laboratories to be known as the “Depart-
24 ment of Defense Laboratory Revitalization Demonstration
25 Program”. Under the program the Secretary may carry
26 out minor military construction projects in accordance

1 with subsection (b) and other applicable law to improve
2 Department of Defense laboratories covered by the pro-
3 gram.

4 (b) INCREASED MAXIMUM AMOUNTS APPLICABLE TO
5 MINOR CONSTRUCTION PROJECTS.—For purpose of any
6 military construction project carried out under the pro-
7 gram—

8 (1) the amount provided in the second sentence
9 of subsection (a)(1) of section 2805 of title 10, Unit-
10 ed States Code (as amended by section 2801 of this
11 Act), shall be deemed to be \$3,000,000;

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

14 (3) the amount provided in subsection (c)(1)(B)
15 of such section, as so amended, shall be deemed to
16 be \$1,000,000.

17 (c) PROGRAM REQUIREMENTS.—(1) Not later than
18 30 days before commencing the program, the Secretary
19 shall—

20 (A) designate the Department of Defense lab-
21 oratories at which construction may be carried out
22 under the program; and

23 (B) establish procedures for the review and ap-
24 proval of requests from such laboratories to carry
25 out such construction.

1 (2) The laboratories designated under paragraph
2 (1)(A) may not include Department of Defense labora-
3 tories that are contractor owned.

4 (3) The Secretary shall notify Congress of the labora-
5 tories designated under paragraph (1)(A).

6 (d) REPORT.—Not later than September 30, 1998,
7 the Secretary shall submit to Congress a report on the
8 program. The report shall include the Secretary’s conclu-
9 sions and recommendations regarding the desirability of
10 extending the authority set forth in subsection (b) to cover
11 all Department of Defense laboratories.

12 (e) EXCLUSIVITY OF PROGRAM.—Nothing in this sec-
13 tion may be construed to limit any other authority pro-
14 vided by law for any military construction project at a De-
15 partment of Defense laboratory covered by the program.

16 (f) DEFINITIONS.—In this section:

17 (1) The term “laboratory” includes—

18 (A) a research, engineering, and develop-
19 ment center;

20 (B) a test and evaluation activity owned,
21 funded, and operated by the Federal Govern-
22 ment through the Department of Defense; and

23 (C) a supporting facility of a laboratory.

24 (2) The term “supporting facility”, with respect
25 to a laboratory, means any building or structure

1 that is used in support of research, development,
2 test, and evaluation at the laboratory.

3 (g) EXPIRATION OF AUTHORITY.—The Secretary
4 may not commence a construction project under the pro-
5 gram after September 30, 1999.

6 **SEC. 2862. PROHIBITION ON JOINT CIVIL AVIATION USE OF**
7 **MIRAMAR NAVAL AIR STATION, CALIFORNIA.**

8 The Secretary of the Navy may not enter into any
9 agreement that provides for or permits civil aircraft to use
10 regularly Miramar Naval Air Station, California.

11 **SEC. 2863. REPORT ON AGREEMENT RELATING TO CONVEY-**
12 **ANCE OF LAND, FORT BELVOIR, VIRGINIA.**

13 Not later than 60 days after the date of the enact-
14 ment of this Act, the Secretary of the Army shall submit
15 to the Committee on Armed Services of the Senate and
16 the Committee on National Security of the House of Rep-
17 resentatives a report on the status of negotiations for the
18 agreement required under subsection (b) of section 2821
19 of the Military Construction Authorization Act for Fiscal
20 Years 1990 and 1991 (division B of Public Law 101–189;
21 103 Stat. 1658) in connection with the land conveyance
22 authorized under subsection (a) of that section. The report
23 shall assess the likelihood that the negotiations will lead
24 to an agreement and describe the alternative uses, if any,

1 for the land referred to in such subsection (a) that have
2 been identified by the Secretary.

3 **SEC. 2864. RESIDUAL VALUE REPORT.**

4 (a) The Secretary of Defense, in coordination with
5 the Director of the Office of Management and Budget
6 (OMB), shall submit to the congressional defense commit-
7 tees status reports on the results of residual value negotia-
8 tions between the United States and Germany, within 30
9 days of the receipt of such reports to the OMB.

10 (b) The reports shall include the following informa-
11 tion:

12 (1) The estimated residual value of United
13 States capital value and improvements to facilities in
14 Germany that the United States has turned over to
15 Germany.

16 (2) The actual value obtained by the United
17 States for each facility or installation turned over to
18 the Government of Germany.

19 (3) The reason(s) for any difference between
20 the estimated and actual value obtained.

21 **SEC. 2865. RENOVATION OF THE PENTAGON RESERVATION.**

22 The Secretary of Defense shall take such action as
23 is necessary to reduce the total cost of the renovation of

1 the Pentagon Reservation to not more than
2 \$1,118,000,000.

Passed the Senate September 6 (legislative day, September 5), 1994.

Attest:

Secretary.

104TH CONGRESS
1ST SESSION

S. 1125

AN ACT

To authorize appropriations for fiscal year 1996 for
military construction, and for other purposes.

S 1125 ES---2
S 1125 ES---3
S 1125 ES---4
S 1125 ES---5
S 1125 ES---6
S 1125 ES---7
S 1125 ES---8
S 1125 ES---9
S 1125 ES---10