

S 2402

Military Construction Authorization Act for Fiscal Year 2005

**Congress:** 108 (2003–2005, Ended)

**Chamber:** Senate

**Policy Area:** Armed Forces and National Security

**Introduced:** May 11, 2004

**Current Status:** Held at the desk.

**Latest Action:** Held at the desk. (Jul 6, 2004)

**Official Text:** <https://www.congress.gov/bill/108th-congress/senate-bill/2402>

Sponsor

**Name:** Sen. Warner, John [R-VA]

**Party:** Republican • **State:** VA • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	Senate	Reported Original Measure	May 11, 2004

Subjects & Policy Tags

**Policy Area:**

Armed Forces and National Security

Related Bills

Bill	Relationship	Last Action
108 HR 4200	Related bill	<b>Oct 28, 2004:</b> Became Public Law No: 108-375.
108 S 2400	Related document	<b>Jun 23, 2004:</b> Senate incorporated this measure in H.R. 4200 as an amendment. (text as passed Senate: CR 7/6/2004 S7592-7684)

Military Construction Authorization Act for Fiscal Year 2005 - **Title XXI [sic]: Army** - (Sec. 2101) Authorizes the Secretary of the Army to acquire real property and carry out military construction projects in specified amounts at specified installations and locations. Authorizes such Secretary to construct or acquire family housing units, carry out architectural planning and design activities, and improve existing military family housing in specified amounts. Authorizes appropriations to the Army for fiscal years after 2004 for military construction, land acquisition, and military family housing functions of the Army. Limits the total cost of construction projects authorized by this title.

(Sec. 2105) Amends the Military Construction Authorization Act for Fiscal Year: (1) 2004 to increase the amounts authorized for projects at Fort Stewart, Georgia, and Fort Drum, New York; and (2) 2003 to increase the amount authorized for a project at Fort Sill, Oklahoma.

**Title XXII: Navy** - (Sec. 2201) Provides, with respect to the Navy, authorizations paralleling those provided for the Army under the previous title.

(Sec. 2205) Amends the Military Construction Authorization Act for Fiscal Year 2004 to increase the amount authorized for a project described under "Various Locations, CONUS."

**Title XXIII: Air Force** - (Sec. 2301) Provides, with respect to the Air Force, authorizations paralleling those provided for the Army under title XXI.

(Sec. 2304) Reduces by \$5.5 million the amount authorized for Air Force personnel.

**Title XXIV: Defense Agencies** - (Sec. 2401) Authorizes the Secretary of Defense (Secretary) to acquire real property and carry out military construction projects in specified amounts at specified installations and locations. Authorizes the Secretary to improve existing military family housing units and to carry out energy conservation projects. Authorizes appropriations to the Department of Defense (DOD) for fiscal years after 2004 for military construction, land acquisition, and military family housing functions of DOD. Limits the total cost of construction projects authorized by this title.

**Title XXV: North Atlantic Treaty Organization Security Investment Program** - (Sec. 2501) Authorizes the Secretary to make contributions for the North Atlantic Treaty Organization (NATO) Security Investment Program and authorizes appropriations for fiscal years after 2004 for such Program.

**Title XXVI: Guard and Reserve Forces Facilities** - (Sec. 2601) Authorizes appropriations for fiscal years after 2004 for National Guard and reserve forces for acquisition, architectural and engineering services, and construction of facilities.

**Title XXVII: Expiration and Extension of Authorizations** - (Sec. 2701) Terminates all authorizations contained in titles XXI through XXVI of this Act on October 1, 2007, or the date of enactment of an Act authorizing funds for military construction for FY 2008, whichever is later, with exceptions. Extends certain prior-year military construction projects.

**Title XXVIII: General Provisions - Subtitle A: Military Construction Program and Military Family Housing Changes** - (Sec. 2801) Increases the thresholds (prior to certain congressional notification requirements) for unspecified minor military construction projects not otherwise authorized by law.

(Sec. 2802) Increases from \$5 million to \$7.5 million the threshold for facility repairs before prior approval is required from the Secretary of the military department concerned (Secretary concerned).

(Sec. 2803) Provides additional reporting requirements with respect to alternative authority for the acquisition and improvement of military housing.

(Sec. 2804) Outlines contract terms for the lease by the Secretary concerned of housing units for military family or unaccompanied housing. Makes the authority of the Secretary concerned to invest in an entity carrying out projects for the construction or acquisition of such housing subject to the availability of appropriations for such purpose.

Repeals provisions authorizing the Secretary concerned to: (1) enter into housing rental guarantees with lessors; (2) enter into differential lease payment agreements; and (3) assign members to acquired or constructed housing units.

Increases the total budget authority for contracts for the acquisition or construction of military family housing.

**Subtitle B: Real Property and Facilities Administration** - (Sec. 2811) Consolidates and reorganizes existing provisions relating to DOD real property transactions and the use of DOD facilities.

(Sec. 2812) Revises definitions and authorities with respect to reserve facilities, including the authority to carry out small projects using DOD Operation and Maintenance funds.

(Sec. 2813) Allows the Secretary to authorize each department Secretary to carry out projects to assess the feasibility and advisability of obtaining new facilities and lands for their respective reserve component through the exchange or sale of existing facilities or lands of such reserves. Outlines authorized transactions and requirements for replacement facilities. Requires the receipt of fair market value in connection with such transactions. Directs the Secretary concerned to use competitive procedures in land exchange transactions. Prohibits the Secretary concerned from entering into such a transaction until 30 days after reporting to the defense and appropriations committees on the transaction agreement. Provides for the deposit of funds received from such transactions. Requires a report from the Secretary to such committees on the exercise of any exchange authority. Terminates such authority after September 30, 2006.

(Sec. 2814) Amends the Defense Base Closure and Realignment Act of 1990 to repeal the authority of the Secretary to recommend that installations be placed in inactive status (and therefore protected from closure or realignment) during a round of base closures and realignments.

**Subtitle C: Land Conveyances** - (Sec. 2821) Authorizes the Secretary of: (1) the Army to transfer to the Secretary of Veterans Affairs administrative jurisdiction over a portion of the Defense Supply Center in Columbus, Ohio, for use as a new outpatient clinic for veterans' medical services; (2) the Army to convey to the State of Utah a parcel of real property at the Browning Army Reserve Center, Utah, for the construction and operation of a veterans' nursing care facility; (3) Defense to convey to Arlington County, Virginia, a parcel of real property along the western boundary of the Navy Annex property, Virginia, for the construction of a freedmen heritage museum and an Arlington history museum; (4) the Army to convey to the Hampton City School Board, Virginia, the Butler Farm U.S. Army Reserve Center, Virginia, for use for public education purposes; (5) the Army to convey to the State of Washington a portion of the National Guard Facility, Pier 91, Washington, for enabling such State to convey such facility unencumbered for economic development purposes; (6) the Navy to transfer to the Administrator of General Services administrative jurisdiction over the Nebraska Avenue Complex in the District of Columbia, to accommodate the Department of Homeland Security; (7) the Navy to convey to the city and county of Honolulu, Hawaii, a parcel of real property on Valkenberg Avenue in Honolulu, to enhance the capability of the city and county to provide fire protection and firefighting services to civilian and military properties in the area, as well as firefighting training; (8) the Navy to convey to the city of Portsmouth, Virginia, the Navy YMCA Building in Portsmouth, for economic revitalization purposes; (9) the Air Force to convey to the Oneida County Industrial Development Agency, New York, a parcel of real property comprising a portion of the former Griffiss Air Force Base, New

York, for economic development purposes; (10) the Air Force to convey to the city of Montgomery, Alabama, the Maxwell Heights Housing site at Maxwell Air Force Base, Alabama, in exchange for real property contiguous to such Base; (11) Navy to convey to the State of Maryland a portion of the Naval Air Station, Patuxent River, Maryland, in exchange for a parcel of real property in Point Lookout State Park, Maryland; (12) Air Force to convey to the March Joint Powers Authority a parcel of real property containing the former Defense Reutilization and Marketing Office facility for March Air Force Base, California, for economic development and revitalization; (13) Army to convey to an entity selected by the Board of Commissioners of Johnson County, Kansas, the Sunflower Army Ammunition Plant in Kansas, for economic development and revitalization; (14) Navy to convey to the Berkeley County Sanitation Authority, South Carolina, a portion of the Naval Weapons Station in Charleston, for the expansion of an existing sewage treatment plant; and (15) Army to convey to the State of Louisiana a portion of the Louisiana Army Ammunition Plant in Doyline, Louisiana, for military training purposes.

(Sec. 2836) Amends the Water Resources Development Act of 1999 to authorize the Secretary of the Army to convey to the city of Charleston, South Carolina (previously there was no named recipient) the property known as the Equipment and Storage Yard on Meeting Street in Charleston.

**Subtitle D: Other Matters -** (Sec. 2841) Authorizes the Secretary to carry out the Department of Defense Follow-On Laboratory Revitalization Demonstration Program for the revitalization of DOD laboratories. Increases minor construction threshold amounts for any military construction project carried out under the Program. Requires a Program report from the Secretary to the defense and appropriations committees. Terminates the Program on September 30, 2006.

(Sec. 2842) Deems various parcels of real property within the boundaries of Umatilla Chemical Depot, Oregon, no longer suitable for return to the public domain, and transfers such parcels to the administrative jurisdiction of the Secretary of the Army for purposes of management and disposal under the base closure laws.

(Sec. 2843) Authorizes the Secretary of the Army to enter into an agreement with the Army Historical Foundation for the design, construction, and operation of a facility or group of facilities at Fort Belvoir, Virginia, for the National Museum of the United States Army. Authorizes the Commander of the United States Army Center of Military History to accept gifts and bequests valued at up to \$250,000 for the benefit of the Museum or the Center.

(Sec. 2844) Authorizes the Secretary of the Navy to pay specified funds to the Oakland Base Reuse Authority and the Redevelopment Agency of the City of Oakland, California, in settlement of certain claims.

(Sec. 2855) Directs the Comptroller General to report to the defense committees assessing the DOD policy with regard to the closure of defense dependent elementary and secondary schools and commissary stores.

**Title XXIX: Maritime Administration -** (Sec. 2901) Amends the Maritime Security Act of 2003 to require the Secretary of Transportation, in providing financial assistance for the construction of tank vessels to be used for both commercial and, if necessary, national defense purposes, to give priority consideration to a proposal submitted by an applicant who has been accepted for participation in the Shipboard Technology Evaluation Program as outlined in a specified Circular issued by the Commandant of the Coast Guard on January 2, 2004.

## Actions Timeline

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- **Jul 6, 2004:** Received in the House.
- **Jul 6, 2004:** Message on Senate action sent to the House.
- **Jul 6, 2004:** Held at the desk.
- **Jun 23, 2004:** Measure laid before Senate by unanimous consent. (consideration: CR 6/24/2004 S7300)
- **Jun 23, 2004:** Senate struck all after the Enacting Clause and substituted the language of S. 2400 amended (Division B only).
- **Jun 23, 2004:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Jun 23, 2004:** Passed Senate with an amendment by Unanimous Consent.
- **May 11, 2004:** Introduced in Senate
- **May 11, 2004:** Committee on Armed Services. Original measure reported to Senate by Senator Warner. Without written report.
- **May 11, 2004:** Committee on Armed Services. Original measure reported to Senate by Senator Warner. Without written report.
- **May 11, 2004:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 505.
- **May 6, 2004:** Committee on Armed Services ordered to be reported an original measure.