

## S 2768

Military Construction Authorization Act for Fiscal Year 2007

**Congress:** 109 (2005–2007, Ended)

**Chamber:** Senate

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

**Introduced:** May 9, 2006

**Current Status:** Message on Senate action sent to the House.

**Latest Action:** Message on Senate action sent to the House. (Jun 29, 2006)

**Official Text:** <https://www.congress.gov/bill/109th-congress/senate-bill/2768>

### 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 9, 2006

### Subjects & Policy Tags

**Policy Area:**

Armed Forces and National Security

### Related Bills

Bill	Relationship	Last Action
109 S 2766	Related document	<b>Jul 25, 2006:</b> Senate Committee on Armed Services. Hearings held prior to introduction and/or referral. Hearings printed: S.Hrg. 109-827, pt. 4 (hearings held 3/1, 3/28, 7/25 and concluded).

**Military Construction Authorization Act for Fiscal Year 2007 - 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 2006 for military construction, land acquisition, and military family housing functions of the Army. Limits the total cost of construction projects authorized by this title.

**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 (MCAA) for Fiscal Year 2006 to revise amounts authorized for construction projects at Marine Corps bases Camp Pendleton, California, and Quantico, Virginia.

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

(Sec. 2305) Amends the MCAA for Fiscal Year 2006 to decrease the amount authorized for a construction project at MacDill Air Force Base, Florida.

**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 construct or acquire family housing units, carry out architectural planning and design activities, and carry out certain energy conservation projects. Authorizes appropriations to the Department of Defense (DOD) for fiscal years after 2006 for military construction, land acquisition, and military family housing functions of DOD. Limits the total cost of construction projects authorized by this title.

(Sec. 2405) Amends the MCAA for Fiscal Year 2006 to increase the amounts authorized for National Security Agency (NSA) construction projects in: (1) Augusta, Georgia; (2) Kunia, Hawaii; and (3) Menwith Hall, United Kingdom.

**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 2006 for such Program.

**Title XXVI: Guard and Reserve Forces Facilities** - (Sec. 2601) Authorizes appropriations for fiscal years after 2006 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, 2009, or the date of enactment of an Act authorizing funds for military construction for FY2010, whichever is later, with exceptions.

(Sec. 2702) Extends certain prior-year military construction projects.

**Title XXVIII: General Provisions - Subtitle A: Military Construction Program and Military Family Housing Changes** - (Sec. 2801) Amends the MCAA for Fiscal Year 2004 to extend through FY2009 the temporary DOD authority to use Operation and Maintenance (O&M) funds for construction projects outside the United States.

(Sec. 2802) Authorizes the Secretary to carry out military construction projects in connection with the DOD industrial facility investment program. Requires: (1) 21 days' prior notification of the defense and appropriations committees before carrying out such a project; and (2) an annual report from the Secretary to Congress on actions taken and savings realized.

(Sec. 2803) Revises congressional notification requirements in connection with cost increases, cost decreases, or a reduction in the scope of work in connection with military construction projects.

(Sec. 2804) Requires military department Secretaries to ensure that floor areas of unaccompanied housing does not exceed floor areas of similar housing in the local private sector.

(Sec. 2805) Increases the thresholds for unspecified minor military construction projects.

(Sec. 2806) Directs the Secretary to designate energy performance goals for DOD military transportation and support systems and installations consistent with the Energy Policy Act of 2005. Requires the Secretary to include consideration of alternate energy initiatives for vehicles and military support equipment. Authorizes the Secretary to consider longer positive net value returns for certain equipment upgrades supporting industrial processes. Requires the Secretary to ensure that energy-efficient products meeting DOD's requirements, if cost-effective over the life cycle of the product and readily available, be used in new facility construction in connection with such systems and installations.

(Sec. 2807) Repeals: (1) DOD authority to transfer property at closed or realigned military installations in order to support military construction; and (2) the requirement that military department Secretaries consult with the Secretary of Housing and Urban Development (HUD) on the availability of suitable alternate housing before entering into contracts to construct authorized family housing units in the United States.

(Sec. 2809) Revises currency fluctuation adjustments with respect to certain military family housing leases in Korea.

(Sec. 2810) Extends through FY2009 the authority for pilot projects for the acquisition or construction of military unaccompanied housing. Reduces from 90 to 30 days the congressional notification period in connection with such projects.

(Sec. 2811) Prohibits DOD from using amounts authorized for a fiscal year after 2006 to construct a facility designed to provide training in urban operations for personnel of DOD or other federal agencies until the Under Secretary of Defense for Personnel and Readiness makes certain certifications to the defense and appropriations committees, including an approved strategy for training and facility construction for operations in urban terrain.

(Sec. 2812) Amends the MCAA for Fiscal Year 2002 to revise the land acreage acquisition authority with respect to a construction project in Perquimans County, North Carolina.

(Sec. 2813) Designates the new laboratory facility at the Air Force Rome Research Site in Rome, New York, as the "Sherwood L. Boehlert Engineering Center."

(Sec. 2814) Designates the administration building under construction at the Joint Systems Manufacturing Center in Lima, Ohio, as the "Michael G. Oxley Administration and Technology Center."

(Sec. 2815) Requires the Secretary of the Army to designate one of the military family housing areas or facilities constructed for Fort Carson, Colorado, as the "Joel Hefley Village."

(Sec. 2816) Allows the Secretary of the Army to authorize family members of a member serving on active duty and assigned to a family-member-restricted area to remain in the leased housing unit until the military member completes the family-member-restricted tour. Terminates such authority at the end of FY2008.

**Subtitle B: Real Property and Facilities Administration** - (Sec. 2821) Consolidates and revises generally DOD authority to grant real property easements.

(Sec. 2822) Authorizes the Secretary concerned, under certain circumstances, to grant restrictive easements for conservation and environmental restoration purposes.

(Sec. 2823) Consolidates DOD authority relating to the transfer of real property between DOD departments and between DOD and other federal agencies. Incorporates into such section the requirement that the Secretary notify the Attorney General of the availability of excess DOD property for possible correctional facilities purposes. Adds requirements with respect to the screening of excess DOD property for possible use by other federal departments and agencies.

(Sec. 2824) Authorizes excess DOD property to be used as exchange under DOD agreements to limit encroachments on military training, testing, and operations.

(Sec. 2825) Amends the MCAA for Fiscal Year 2006 to authorize the Secretary of the military department concerned to enter into a contract for the provision of utility services for a period not to exceed 50 (currently, ten) years.

(Sec. 2826) Extends from five to ten years the maximum DOD lease term for structures required in a foreign country for military purposes other than family housing.

(Sec. 2827) Amends the National Defense Authorization Act for Fiscal Year 1997 to increase the total acreage relating to a land transfer at the Potomac Annex, District of Columbia.

(Sec. 2828) Prohibits the Secretary of the Army from carrying out any acquisition of real property to expand the Pinon Canyon Maneuver Site at Fort Carson, Colorado, until 30 days after such Secretary submits to the defense and appropriations committees an analysis of any potential expansion of the military training range there. Requires such Secretary to report to such committees an assessment of the training ranges operated to support major Army units.

(Sec. 2829) Establishes as a DOD goal to: (1) produce or procure not less than 25 percent of the total electric energy it consumes during FY2025 and thereafter from renewable energy sources; and (2) produce or procure such renewable energy when it is life-cycle cost-effective to do so.

(Sec. 2830) Designates the Navy and Marine Corps Reserve Center at Rock Island Arsenal, Illinois, as the "Lane Evans Navy and Marine Corps Reserve Center."

**Subtitle C: Base Closure and Realignment** - (Sec. 2831) Authorizes the Secretary to award grants, conclude cooperative agreements, and enter into contracts to conduct research and technical assistance in connection with the Defense Economic Adjustment Program.

(Sec. 2832) Includes certain military facilities not under DOD jurisdiction within facilities eligible for community planning assistance for addressing issues of encroachment by civilian communities upon state-owned and operated National Guard facilities.

(Sec. 2833) Authorizes the Secretary to deposit into the Department of Defense Base Closure Account 2005 lease

proceeds received as a result of 2005 base closure and realignment decisions.

(Sec. 2834) Directs the Secretary of the Air Force to report to Congress on Air Force planning for future roles and missions for active and Air National Guard personnel and installations affected by decisions of the 2005 round of defense base closures and realignments.

**Subtitle D: Land Conveyances** - (Sec. 2841) Authorizes the Secretary of the Army to convey to the Commonwealth of Virginia specified real property at the Radford Army Ammunition Plant, Virginia, for the purpose of establishing a veterans' cemetery.

(Sec. 2842) Amends the MCAA for Fiscal Year 2002 to authorize the Secretary of the Army to carry out an alternate agreement with the Commonwealth of Virginia for the design and construction of a Parkway portion and other portions of the Fairfax County Parkway as part of the conveyance of two parcels of real property at the Engineering Proving Grounds, Fort Belvoir, Virginia. Increases the amount authorized for the construction of a security barrier as part of such project.

(Sec. 2843) Authorizes the Secretaries of the Army and Navy to convey to the Metropolitan Community College Area, a public community college located in Omaha, Nebraska, certain property under the control of the Army Reserve and Navy Reserve for educational purposes.

**Subtitle E: Other Matters** - (Sec. 2851) Modifies authorized project purposes for a construction project at Rickenbacker Airport, Columbus, Ohio, and certain highway projects in Detroit, Michigan, under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users.

(Sec. 2853) Requires the Secretary of the Army, within two years after the enactment of this Act, to assume responsibility for the annual O&M of the Fox Point Hurricane Barrier in Providence, Rhode Island. Authorizes appropriations.

(Sec. 2854) Authorizes the Secretary of the Army to convey to the town of Hopkinton, New Hampshire, the Kast Hill property in Hopkinton, in order for the town to use its existing sand and gravel resources and to ensure perpetual conservation of the property.

(Sec. 2855) States that the Federal Transit Administration's Dear Colleague letter dated April 29, 2005, which requires fixed guideway projects to achieve a "medium" cost-effectiveness rating in order to be recommended for funding, shall not apply to the Northstar Corridor Commuter Rail Project in Minnesota.

## Actions Timeline

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- **Jun 29, 2006:** Received in the House.
- **Jun 29, 2006:** Held at the desk.
- **Jun 29, 2006:** Message on Senate action sent to the House.
- **Jun 22, 2006:** Measure laid before Senate by unanimous consent. (consideration: CR S6404-6405)
- **Jun 22, 2006:** Senate struck all after the Enacting Clause and substituted the language of S.2766 amended (Division B only).
- **Jun 22, 2006:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(text as passed Senate: CR 6/29/2006 S7052-7066)
- **Jun 22, 2006:** Passed Senate with an amendment by Unanimous Consent. (text as passed Senate: CR 6/29/2006 S7052-7066)
- **May 9, 2006:** Introduced in Senate
- **May 9, 2006:** Committee on Armed Services. Original measure reported to Senate by Senator Warner. Without written report.
- **May 9, 2006:** Committee on Armed Services. Original measure reported to Senate by Senator Warner. Without written report.
- **May 9, 2006:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 428.
- **May 4, 2006:** Committee on Armed Services ordered to be reported an original measure.