

## S 1392

Military Construction Authorization Act for Fiscal Year 2010

**Congress:** 111 (2009–2011, Ended)

**Chamber:** Senate

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

**Introduced:** Jul 2, 2009

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

**Latest Action:** Held at the desk. (Jul 30, 2009)

**Official Text:** <https://www.congress.gov/bill/111th-congress/senate-bill/1392>

### Sponsor

**Name:** Sen. Levin, Carl [D-MI]

**Party:** Democratic • **State:** MI • **Chamber:** Senate

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	Senate	Reported Original Measure	Jul 2, 2009

### Subjects & Policy Tags

**Policy Area:**

Armed Forces and National Security

### Related Bills

Bill	Relationship	Last Action
111 S 1390	Related bill	<b>Jul 28, 2009:</b> Held at the desk.

Military Construction Authorization Act for Fiscal Year 2010 - **Division B: Military Construction Authorizations** - Military Construction Authorization Act for Fiscal Year 2010 - (Sec. 2002) Terminates all authorizations contained in Titles XXI through XXVII of this Act on October 1, 2012, or the date of enactment of an Act authorizing funds for military construction for FY2013, whichever is later, with an exception.

(Sec. 2004) Provides that amounts authorized in this Division shall be available for programs, projects, and activities in the amounts provided in a specified funding table.

**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 2009 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 (MCAA) for Fiscal Year 2006 to extend an authorized project in Hawaii.

**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 MCAA for Fiscal Year 2006 to increase the amount authorized for a project at the Naval Submarine Base, Bangor, Washington. Extends the authority to carry out such project until October 1, 2012, or the date of enactment of an Act authorizing funds for military construction for FY2013, whichever is later.

**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) Extends certain prior-year military construction projects.

(Sec. 2307) Prohibits the obligation or expenditure of Air Force funds for certain improvements at Palanquero Air Base, Colombia, until the Secretary of Defense (Secretary) certifies to the congressional defense and appropriations committees that negotiations between the United States and Colombia have resulted in access rights that will permit the U.S. Southern Command to adequately perform its mission.

(Sec. 2308) Authorizes the Director of Walking Shield, Inc. to submit to the Secretary of the Air Force, on behalf of any Indian tribe located in Nevada, North Dakota, Oregon, South Dakota, Montana, or Minnesota, a request for conveyance of any relocatable military housing unit located at Grand Forks, Minot, Malmstrom, Ellsworth, or Mountain Home Air Force Base. Authorizes the Secretary of the Air Force, upon such a request, to convey to the appropriate Indian tribe any such housing unit.

**Title XXIV: Defense Agencies - Subtitle A: Defense Agency Authorizations** - (Sec. 2401) Authorizes the Secretary to acquire real property and carry out other-than-military construction projects in specified amounts at specified installations and locations. Authorizes the Secretary to construct or acquire family housing units and to carry out energy conservation projects in specified amounts. Authorizes appropriations for fiscal years after 2009 for military construction, land

acquisition, and military family housing functions of the Department of Defense (DOD) (other than the military departments). Limits the total cost of construction projects authorized by this title.

(Sec. 2405) Amends the MCAA for Fiscal Year: (1) 2008 to increase the amount authorized for a project at the Point Loma Annex, California; and (2) 2009 to increase the amount authorized for a project in Souda Bay, Greece.

(Sec. 2407) Extends a prior-year military construction project.

**Subtitle B: Chemical Demilitarization Authorizations** - (Sec. 2411) Authorizes appropriations for fiscal years after 2009 for military construction and land acquisition for chemical demilitarization for the construction of: (1) phase 11 of a chemical munitions demilitarization facility at Pueblo Chemical Activity, Colorado; and (2) phase 10 of a munitions demilitarization facility at Blue Grass Army Depot, Kentucky.

**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 2009 for such Program.

**Title XXVI: Guard and Reserve Forces Facilities** - (Sec. 2601) Authorizes the Secretary of the military department concerned (Secretary concerned) to acquire real property and carry out military construction projects for the National Guard and reserves.

(Sec. 2606) Authorizes appropriations for fiscal years after 2009 for National Guard and reserve forces for acquisition, architectural and engineering services, and construction of facilities.

(Sec. 2607) Extends certain prior-year National Guard and reserve military construction projects.

**Title XXVII: Base Closure and Realignment Activities** - (Sec. 2701) Authorizes appropriations for fiscal years after 2009 for military base closure and realignment activities authorized under the Defense Base Closure and Realignment Act of 1990 and funded through the Department of Defense Base Closure Account 1990.

(Sec. 2702) Authorizes the Secretary to carry out base closure and realignment activities authorized under the above Act and funded through the Department of Defense Base Closure Account 2005. Authorizes appropriations for fiscal years after 2009 for such purpose.

(Sec. 2703) Authorizes appropriations for fiscal years after 2008 for military base closure and realignment activities authorized under the Defense Base Closure and Realignment Act of 1990 and funded through the Department of Defense Base Closure Account 2005.

(Sec. 2704) Directs the Secretary to report to the defense, appropriations, and foreign relations committees on the status of: (1) overseas base closure and realignment actions undertaken as part of a global defense posture realignment strategy; and (2) development and execution of comprehensive master plans for overseas military main operating bases, forward operating sites, and cooperative security locations. Requires a report from the Secretary to such committees on how each such status will be affected by each quadrennial defense review assessment.

(Sec. 2705) Expresses the sense of the Senate that, as the federal government implements base closures and realignments, global repositioning of forces, and grow-the-force initiatives, it is necessary to: (1) assist local communities coping with the impact of these programs at both closed and active military installations; and (2) assess the needs and degree of such assistance in order to effectively implement various DOD initiatives while aiding communities to either

quickly recover from closures or accommodate growth associated with troop influxes.

(Sec. 2706) Authorizes the Secretary of the Army to use base closure and realignment funds authorized under this title to construct an Army Reserve center and maintenance facility in the vicinity of Newtown, Connecticut.

(Sec. 2707) Authorizes the Secretary of the Army to use prior-year funding authorized for construction of an Armed Forces Reserve Center at Pease Air National Guard Base, New Hampshire, to instead construct such a Center in the vicinity of such Base at a location determined to be in the best interest of national security and the public interest.

(Sec. 2708) Directs the Secretary to develop and implement a comprehensive master plan to provide world-class military medical facilities and an integrated system of health care delivery for the National Capital Region that addresses specified needs, missions, and performance expectations for members of the Armed Forces and their families.

**Title XXVIII: Military Construction General Provisions** - (Sec. 2801) Authorizes the Secretary and the military department Secretaries, using amounts appropriated by title X of the American Recovery and Reinvestment Act of 2009, to acquire real property and carry out military construction projects in specified amounts at specified installations and locations inside the United States. Authorizes the Secretary of the Army, using such funds, to acquire real property and carry out military construction projects for the Army National Guard and Army Reserve in specified amounts at specified locations inside the United States, and to construct or acquire family housing units for the Army National Guard and Reserves in specified amounts at specified locations inside the United States.

**Subtitle A: Military Construction Program and Military Family Housing Changes** - (Sec. 2811) Amends the MCAA for Fiscal Year 2005 to extend through FY2010 the use of defense-wide operation and maintenance funds for construction projects within the U.S. Central Command and U.S. Africa Command areas of responsibility.

(Sec. 2812) Prohibits the scope of work for a military construction project or for the construction, improvement, or acquisition of a military family housing project from being increased beyond the amount specifically authorized by Congress.

(Sec. 2813) Authorizes the Secretary concerned to enter into an agreement to convey real property, and any improvements, to any person who agrees, in exchange for the real property, to carry out a land acquisition to limit encroachment around DOD installations and ranges. Requires deposit of the proceeds of the property conveyed into the Foreign Currency Fluctuations, Construction, Defense account. Repeals an annual report requirement concerning such conveyances. Terminates the conveyance authority at the end of FY2013.

(Sec. 2814) Extends through FY2011 the authority of the Secretary of the Navy to carry out pilot projects using the private sector for the acquisition or construction of military unaccompanied housing in the United States.

**Subtitle B: Energy Security** - (Sec. 2821) Directs the Secretary to report to the defense and appropriations committees describing and assessing current DOD efforts toward the installation of solar panels and other renewable energy projects on military installations and facilities.

**Subtitle C: Land Conveyances** - (Sec. 2831) Authorizes the Secretary of the Navy to convey to Virginia Beach, Virginia, parcels of property at the Naval Air Station Oceana, Virginia, to permit the city to expand services to support the Marine Animal Care Center.

(Sec. 2832) Releases to the state of Arkansas a U.S. reversionary interest in and to the surface estate of Camp Joseph T. Robinson, Arkansas.

(Sec. 2833) Amends the Military Construction Act for Fiscal Year 1998 to change the designated recipient with respect to a land conveyance by the Secretary of the Air Force involving specified property at Ellsworth Air Force Base, South Dakota, to the South Dakota Ellsworth Development Authority.

(Sec. 2834) Authorizes the Secretary of the Air Force to convey to the county of Laramie, Wyoming, specified real property at the F.E. Warren Air Force Base in Cheyenne, Wyoming, to preserve the property for health care facilities.

(Sec. 2835) Authorizes the Secretary of the Air Force to convey to an eligible entity specified real property on Lackland Air Force Base, Texas, in exchange for real property adjacent to such installation, for the purpose of relocating and reconsolidating Air Force tenants located on the former Kelly Air Force Base, Texas, onto the main portion of Lackland Air Force Base.

(Sec. 2836) Authorizes the Secretary of the Army to convey to the Chilkoot Indian Association specified real property at the former Haines Fuel Terminal in Haines, Alaska, to permit the Association to develop a deep sea port and for other industrial and commercial development purposes.

(Sec. 2837) Authorizes the Secretary of the Navy to convey to any person or entity leasing or licensing real property located at the Camp Catlin and Ohana Nui areas, Hawaii, the property so leased or licensed for the purpose of continuing current functions there.

**Subtitle D: Other Matters** - (Sec. 2841) Directs the Secretary of the Army to: (1) expand the First Sergeants Barracks Initiative to include all Army installations in order to improve the quality of life and living environments for single soldiers; and (2) provide two expansion progress reports to Congress.

**Title XXIX: Overseas Contingency Operations Military Construction Authorizations** - (Sec. 2901) Authorizes the Secretary of the Army to acquire real property and carry out military construction projects to construct or renovate warrior transition unit facilities at installations and locations outside the United States. Authorizes appropriations for fiscal years after 2009 for military construction, land acquisitions, and military family housing functions of the Army. Prohibits funds from being obligated for projects authorized by this section until 14 days after the Secretary submits to the defense and appropriations committees a justification for such project(s).

(Sec. 2902) Provides, with respect to the Air Force, authorizations paralleling those provided for the Army, above, with the same justification requirement.

## Actions Timeline

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- **Jul 30, 2009:** Received in the House.
- **Jul 30, 2009:** Message on Senate action sent to the House.
- **Jul 30, 2009:** Held at the desk.
- **Jul 23, 2009:** Measure laid before Senate by unanimous consent. (consideration: CR S8024)
- **Jul 23, 2009:** Senate struck all after the Enacting Clause and substituted the language of S.1390 (Division B only) amended.
- **Jul 23, 2009:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Jul 23, 2009:** Passed Senate with an amendment by Unanimous Consent.
- **Jul 2, 2009:** Introduced in Senate
- **Jul 2, 2009:** Committee on Armed Services. Original measure reported to Senate by Senator Levin under authority of the order of the Senate of 06/25/2009. Without written report.
- **Jul 2, 2009:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 91.