

(g) QUARTERLY REPORTS.—Not later than 30 days after the end of each fiscal-year quarter, the Secretary of Defense shall submit to the congressional defense committees a report summarizing the details of any obligation or transfer of funds from the Iraq Security Forces Fund during such fiscal-year quarter.

(h) EXPIRATION OF AUTHORITY.—The authority in this section shall expire on September 30, 2010.

SEC. 1614. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1615. LIMITATION ON USE OF FUNDS.

(a) REPORT.—Amounts authorized to be appropriated by this title may not be obligated until 15 days after the Secretary of Defense has transmitted to the congressional defense committees a report setting forth the proposed allocation of such amounts at the program, project, or activity level.

(b) EFFECT OF REPORT.—The report required by subsection (a) shall serve as a base for reprogramming for the purposes of sections 1514 and 1001.

SEC. 1616. CONTRIBUTIONS BY THE GOVERNMENT OF IRAQ TO LARGE-SCALE INFRASTRUCTURE PROJECTS, COMBINED OPERATIONS, AND OTHER ACTIVITIES IN IRAQ.

(a) FINDING.—The Senate finds that the financial contributions of the Government of Iraq to the reconstruction and stability of Iraq have been increasing.

(b) LARGE-SCALE INFRASTRUCTURE PROJECTS.—

(1) LIMITATION ON AVAILABILITY OF UNITED STATES FUNDS FOR PROJECTS.—Amounts authorized to be appropriated by this Act (other than amounts described in paragraph (3)) may not be obligated or expended for any large-scale infrastructure project in Iraq that is commenced after the date of the enactment of this Act.

(2) FUNDING OF RECONSTRUCTION PROJECTS BY THE GOVERNMENT OF IRAQ.—The United States Government shall work with the Government of Iraq to provide that the Government of Iraq shall obligate and expend funds of the Government of Iraq for reconstruction projects in Iraq that are not large-scale infrastructure projects before obligating and expending United States assistance (other than amounts described in paragraph (3)) for such projects.

(3) EXCEPTION FOR CERP.—The limitations in paragraphs (1) and (2) do not apply to amounts authorized to be appropriated by this Act for the Commanders' Emergency Response Program (CERP).

(4) LARGE-SCALE INFRASTRUCTURE PROJECT DEFINED.—In this subsection, the term "large-scale infrastructure project" means any construction project for infrastructure in Iraq that is estimated by the United States Government at the time of the commencement of the project to cost at least \$2,000,000.

(c) COMBINED OPERATIONS.—

(1) IN GENERAL.—The United States Government shall initiate negotiations with the Government of Iraq on an agreement under which the Government of Iraq shall share with the United States Government the costs of combined operations of the Government of Iraq and the Multinational Forces Iraq undertaken as part of Operation Iraqi Freedom.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall, in conjunction with the Secretary of Defense, submit to Congress a report describing the status of negotiations under paragraph (1).

(d) IRAQI SECURITY FORCES.—

(1) IN GENERAL.—The United States Government shall take actions to ensure that Iraq funds are used to pay the following:

(A) The costs of the salaries, training, equipping, and sustainment of Iraqi Security Forces.

(B) The costs associated with the Sons of Iraq.

(2) REPORTS.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the President shall submit to Congress a report setting forth an assessment of the progress made in meeting the requirements of paragraph (1).

MILITARY CONSTRUCTION AUTHORIZATION ACT FOR FISCAL YEAR 2009

On Wednesday, the Senate passed S. 3003, as amended, as follows:

S. 3003

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Military Construction Authorization Act for Fiscal Year 2009".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Congressional defense committees.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Sec. 2001. Short title.

Sec. 2002. Expiration of authorizations and amounts required to be specified by law.

Sec. 2003. Effective date.

TITLE XXI—ARMY

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

Sec. 2102. Family housing.

Sec. 2103. Improvements to military family housing units.

Sec. 2104. Authorization of appropriations, Army.

Sec. 2105. Extension of authorizations of certain fiscal year 2005 projects.

Sec. 2106. Extension of authorization of certain fiscal year 2006 project.

TITLE XXII—NAVY

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

Sec. 2202. Family housing.

Sec. 2203. Improvements to military family housing units.

Sec. 2204. Authorization of appropriations, Navy.

Sec. 2205. Modification of authority to carry out certain fiscal year 2005 project inside the United States.

Sec. 2206. Modification of authority to carry out certain fiscal year 2007 projects inside the United States.

TITLE XXIII—AIR FORCE

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

Sec. 2302. Family housing.

Sec. 2303. Improvements to military family housing units.

Sec. 2304. Authorization of appropriations, Air Force.

Sec. 2305. Extension of authorizations of certain fiscal year 2006 projects.

Sec. 2306. Extension of authorizations of certain fiscal year 2005 projects.

TITLE XXIV—DEFENSE AGENCIES

Subtitle A—Defense Agency Authorizations

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

Sec. 2402. Energy conservation projects.

Sec. 2403. Authorization of appropriations, Defense Agencies.

Sec. 2404. Modification of authority to carry out certain fiscal year 2007 project.

Sec. 2405. Extension of authorization of certain fiscal year 2006 project.

Subtitle B—Chemical Demilitarization Authorizations

Sec. 2411. Authorized chemical demilitarization program construction and land acquisition projects.

Sec. 2412. Authorization of appropriations, chemical demilitarization construction, defense-wide.

Sec. 2413. Modification of authority to carry out certain fiscal year 1997 project.

Sec. 2414. Modification of authority to carry out certain fiscal year 2000 project.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

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

Sec. 2502. Authorization of appropriations, NATO.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Sec. 2601. Authorized Army National Guard construction and land acquisition projects.

Sec. 2602. Authorized Army Reserve construction and land acquisition projects.

Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.

Sec. 2604. Authorized Air National Guard construction and land acquisition projects.

Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.

Sec. 2606. Authorization of appropriations, Guard and Reserve.

Sec. 2607. Extension of authorizations of certain fiscal year 2006 projects.

Sec. 2608. Extension of authorization of certain fiscal year 2005 project.

Sec. 2609. Modification of authority to carry out certain fiscal year 2008 project.

TITLE XXVII—BASE CLOSURE AND REALIGNMENT ACTIVITIES

Sec. 2701. Authorization of appropriations for base closure and realignment activities funded through Department of Defense Base Closure Account 1990.

Sec. 2702. Authorized base closure and realignment activities funded through Department of Defense Base Closure Account 2005.

Sec. 2703. Authorization of appropriations for base closure and realignment activities funded through Department of Defense Base Closure Account 2005.

Sec. 2704. Modification of annual base closure and realignment reporting requirements.

Sec. 2705. Technical corrections regarding authorized cost and scope of work variations for military construction and military family housing projects related to base closures and realignments.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS
Subtitle A—Military Construction Program and Military Family Housing Changes
 Sec. 2801. Increase in threshold for unspecified minor military construction projects.
 Sec. 2802. Authority to use operation and maintenance funds for construction projects outside the United States.
 Sec. 2803. Improved oversight and accountability for military housing privatization initiative projects.
 Sec. 2804. Leasing of military family housing to Secretary of Defense.
 Sec. 2805. Cost-benefit analysis of dissolution of Patrick Family Housing LLC.

Subtitle B—Real Property and Facilities Administration
 Sec. 2811. Participation in conservation banking programs.
 Sec. 2812. Clarification of congressional reporting requirements for certain real property transactions.
 Sec. 2813. Modification of land management restrictions applicable to Utah national defense lands.

Subtitle C—Land Conveyances
 Sec. 2821. Transfer of proceeds from property conveyance, Marine Corps Logistics Base, Albany, Georgia.

Subtitle D—Energy Security
 Sec. 2831. Expansion of authority of the military departments to develop energy on military lands.

Subtitle E—Other Matters
 Sec. 2841. Report on application of force protection and anti-terrorism standards to gates and entry points on military installations.

TITLE XXIX—WAR-RELATED MILITARY CONSTRUCTION AUTHORIZATIONS
Subtitle A—Fiscal Year 2008 Projects
 Sec. 2901. Authorized Army construction and land acquisition projects.
 Sec. 2902. Authorized Navy construction and land acquisition projects.
 Sec. 2903. Authorized Air Force construction and land acquisition projects.
 Sec. 2904. Termination of authority to carry out fiscal year 2008 Army projects.

Subtitle B—Fiscal Year 2009 Projects
 Sec. 2911. Authorized Army construction and land acquisition projects.
 Sec. 2912. Authorized Navy construction and land acquisition projects.
 Sec. 2913. Limitation on availability of funds for certain purposes relating to Iraq.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.
 For purposes of this Act, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.
 This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2009”.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVI and title XXIX for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2011; or
 (2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2012.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2011; or
 (2) the date of the enactment of an Act authorizing funds for fiscal year 2012 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, and XXIX shall take effect on the later of—
 (1) October 1, 2008; or
 (2) the date of the enactment of this Act.

TITLE XXI—ARMY

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

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

Army: Inside the United States

State	Installation or Location	Amount
Alabama	Anniston Army Depot	\$45,000,000
	Redstone Arsenal	\$16,500,000
Alaska	Fort Richardson	\$18,100,000
	Fort Wainright	\$110,400,000
Arizona	Fort Huachuca	\$11,200,000
	Yuma Proving Ground	\$3,800,000
California	Fort Irwin	\$39,600,000
	Presidio, Monterey	\$15,000,000
	Sierra Army Depot	\$12,400,000
Colorado	Fort Carson	\$534,000,000
Georgia	Fort Benning	\$267,800,000
	Fort Stewart/Hunter Army Air Field	\$432,300,000
Hawaii	Pohakuloa Training Area	\$21,300,000
	Schofield Barracks	\$279,000,000
Indiana	Wahiawa	\$40,000,000
	Crane Army Ammunition Activity	\$8,300,000
Kansas	Fort Riley	\$132,000,000
Kentucky	Fort Campbell	\$118,113,000
Louisiana	Fort Polk	\$29,000,000
Michigan	Detroit Arsenal	\$6,100,000
Missouri	Fort Leonard Wood	\$31,650,000
New York	Fort Drum	\$90,000,000
	United States Military Academy, West Point	\$67,000,000
North Carolina	Fort Bragg	\$36,900,000
Oklahoma	Fort Sill	\$63,000,000
Pennsylvania	Carlisle Barracks	\$13,400,000
	Letterkenny Army Depot	\$7,500,000
South Carolina	Tobyhanna Army Depot	\$15,000,000
	Fort Jackson	\$30,000,000
Texas	Corpus Christi Storage Complex	\$39,000,000
	Fort Bliss	\$1,031,800,000
Virginia	Fort Hood	\$32,000,000
	Fort Sam Houston	\$96,000,000
	Red River Army Depot	\$6,900,000
	Fort Belvoir	\$7,200,000
	Fort Eustis	\$28,000,000
	Fort Lee	\$100,600,000
	Fort Myer	\$14,000,000

Army: Inside the United States—Continued

State	Installation or Location	Amount
Washington	Fort Lewis	\$158,000,000

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

Army: Outside the United States

Country	Installation or Location	Amount
Afghanistan	Bagram Air Base	\$67,000,000
Germany	Katterbach	\$19,000,000
	Wiesbaden Air Base	\$119,000,000
Japan	Camp Zama	\$2,350,000
	Sagamihara	\$17,500,000
Korea	Camp Humphreys	\$20,000,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

Country	Installation or Location	Units	Amount
Germany	Wiesbaden Air Base	326	\$133,000,000
Korea	Camp Humphreys	216	\$125,000,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$579,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(5)(A), the Secretary of the Army may improve existing military family housing units in an amount not to exceed \$420,001,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of \$6,042,210,000 as follows:

(1) For military construction projects inside the United States authorized by section 2101(a), \$4,007,863,000.

(2) For military construction projects outside the United States authorized by section 2101(b), \$202,250,000.

(3) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, \$23,000,000.

(4) For host nation support and architectural and engineering services and construction design under section 2807 of title 10, United States Code, \$200,807,000.

(5) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, \$678,580,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), \$716,110,000.

(6) For the construction of increment 3 of a barracks complex at Fort Lewis, Washington, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109-364; 120 Stat. 2445), as amended by section 20814 of the Continuing Appropriations Resolution, 2007 (division B of Public Law 109-289), as added by section 2 of the Revised Continuing Resolution, 2007 (Public Law 110-5; 121 Stat. 41), \$102,000,000.

(7) For the construction of increment 2 of the SOUTHCOM Headquarters at Miami Doral, Florida, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 504), \$81,600,000.

(8) For the construction of increment 2 of the BDE Complex-Barracks/Community at Vicenza, Italy, authorized by section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 505), \$15,000,000.

(9) For the construction of increment 2 of the BDE Complex-Operations Support Facility, at Vicenza, Italy, authorized by section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 505), \$15,000,000.

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

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

(2) \$42,600,000 (the balance of the amount authorized under section 2101(b) for construction of a command and battle center at Wiesbaden, Germany).

SEC. 2105. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2005 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108-375; 118 Stat. 2116), the authorizations set forth in the table in subsection (b), as provided in sections 2101 of that Act (118 Stat. 2101), shall remain in effect until October 1, 2009, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2010, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2006 Project Authorizations

State	Installation or Location	Project	Amount
Hawaii	Pohakuloa	Tactical Vehicle Wash Facility	\$9,207,000
		Battle Area Complex	\$33,660,000
Virginia	Fort Belvoir	Defense Access Road	\$18,000,000

SEC. 2106. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2006 PROJECT.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163; 119 Stat. 3501), the authorization set forth in the table in subsection (b), as provided in section 2101 of that Act (119 Stat. 3485), shall remain in effect until October 1, 2009, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2010, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2005 Project Authorization

State	Installation or Location	Project	Amount
Hawaii	Schofield Barracks	Combined Arms Collective Training Facility.	\$32,542,000

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

Inside the United States

State	Installation or Location	Amount
Arizona	Marine Corps Air Station, Yuma	\$19,490,000
California	Marine Corps Base, Camp Pendleton	\$799,870,000
	Marine Corps Logistics Base, Barstow	\$7,830,000
	Marine Corps Air Station, Miramar	\$48,770,000
	Naval Air Facility, El Centro	\$8,900,000
	Naval Facility, San Clemente Island	\$34,020,000
	Naval Air Station, North Island	\$53,262,000
	Marine Corps Recruit Depot, San Diego	\$51,200,000
	Marine Corps Base, Twentynine Palms	\$145,550,000
Connecticut	Naval Submarine Base, Groton	\$46,060,000
	Submarine Base, New London	\$11,000,000
District of Columbia	Naval Support Activity, Washington	\$24,220,000
Florida	Naval Air Station, Jacksonville	\$12,890,000
	Naval Station, Mayport	\$14,900,000
	Naval Support Activity, Tampa	\$29,000,000
Georgia	Marine Corps Logistics Base, Albany	\$15,320,000
Hawaii	Marine Corps Base, Kaneohe	\$28,200,000
	Pacific Missile Range, Barking Sands	\$28,900,000
	Naval Station, Pearl Harbor	\$80,290,000
Illinois	Recruit Training Command, Great Lakes	\$62,940,000
Maine	Portsmouth Naval Shipyard	\$20,660,000
Maryland	Naval Surface Warfare Center, Indian Head	\$25,980,000
Mississippi	Naval Air Station, Meridian	\$6,340,000
	Naval Construction Battalion Center, Gulfport	\$12,770,000
New Jersey	Naval Air Warfare Center, Lakehurst	\$15,440,000
	Naval Weapons Station, Earle	\$8,160,000
North Carolina	Marine Corps Air Station, Cherry Point	\$77,420,000
	Marine Corps Air Station, New River	\$86,280,000
	Marine Corps Base, Camp Lejeune	\$353,090,000
Pennsylvania	Naval Support Activity, Philadelphia	\$22,020,000
Rhode Island	Naval Station, Newport	\$29,900,000
South Carolina	Marine Corps Air Station, Beaufort	\$5,940,000
	Marine Corps Recruit Depot, Parris Island	\$64,750,000
Virginia	Marine Corps Base, Quantico	\$150,290,000
	Naval Station, Norfolk	\$53,330,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Cuba	Naval Air Station, Guantanamo Bay	\$20,600,000
Diego Garcia	Diego Garcia	\$35,060,000
Djibouti	Camp Lemonier	\$18,580,000
Guam	Naval Activities, Guam	\$88,430,000

(c) UNSPECIFIED WORLDWIDE.—Using the amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(3), the Secretary of the Navy may acquire real property and carry out military construction projects for unspecified installations or locations in the amounts set forth in the following table:

Navy: Unspecified Worldwide

Location	Installation or Location	Amount
Worldwide Unspecified	Unspecified Worldwide	\$66,020,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(6)(A), the Secretary of the Navy may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amount set forth in the following table:

Navy: Family Housing

Location	Installation or Location	Units	Amount
Cuba	Naval Air Station, Guantanamo Bay	146	\$62,598,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations 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 family housing units in an amount not to exceed \$2,169,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(6)(A), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed \$318,011,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of \$3,884,469,000, as follows:

(1) For military construction projects inside the United States authorized by section 2201(a), \$2,455,002,000.

(2) For military construction projects outside the United States authorized by section 2201(b), \$162,670,000.

(3) For military construction projects at unspecified worldwide locations authorized by section 2201(c), \$66,020,000.

(4) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, \$13,670,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, \$239,128,000.

(6) For military family housing functions:
(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, \$382,778,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), \$376,062,000.

(7) For the construction of increment 2 of kilo wharf extension at Naval Forces Mari-

anas Islands, Guam, authorized by section 2201(b) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 510), \$50,912,000.

(8) For the construction of increment 2 of the sub drive-in magnetic silencing facility at Naval Submarine Base, Pearl Harbor, Hawaii, authorized in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 510), \$41,088,000.

(9) For the construction of increment 3 of the National Maritime Intelligence Center, Suitland, Maryland, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109-364; 120 Stat. 2448), \$12,439,000.

(10) For the construction of increment 2 of hangar 5 recapitalizations at Naval Air Station, Whidbey Island, Washington, authorized by section 2201(a) of the Military Construction Authorization Act of Fiscal Year 2007 (division B of Public Law 109-364; 120 Stat. 2448), \$34,000,000.

(11) For the construction of increment 5 of the limited area production and storage complex at Naval Submarine Base, Kitsap, Bangor, Washington (formerly referred to as a project at the Strategic Weapons Facility Pacific, Bangor), authorized by section 2201(a) of the Military Construction Authorization Act of Fiscal Year 2005 (division B of Public Law 108-375; 118 Stat. 2106), as amended by section 2206 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163; 119 Stat. 3493) and section 2206 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 514) \$50,700,000.

SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2005 PROJECT INSIDE THE UNITED STATES.

The table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108-375; 118 Stat. 2105), as amended by section 2206 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163; 119 Stat. 3493) and section 2206 of the Military Construction Authorization Act for

Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 514), is further amended—

(1) in the item relating to Strategic Weapons Facility Pacific, Bangor, Washington, by striking “\$295,000,000” in the amount column and inserting “\$311,670,000”; and

(2) by striking the amount identified as the total in the amount column and inserting “\$1,084,497,000”.

SEC. 2206. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2007 PROJECTS INSIDE THE UNITED STATES.

(a) MODIFICATIONS.—The table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109-364; 120 Stat. 2448), as amended by section 2205(a)(17) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 513) is amended—

(1) in the item relating to NMIC/Naval Support Activity, Suitland, Maryland, by striking “\$67,939,000” in the amount column and inserting “\$76,288,000”; and

(2) in the item relating to Naval Air Station, Whidbey Island, Washington, by striking “\$57,653,000” in the amount column and inserting “\$60,500,000”.

(b) CONFORMING AMENDMENTS.—Section 2204(b) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109-364; 120 Stat. 2452), is amended—

(1) in paragraph (2), by striking “\$56,159,000” and inserting “\$64,508,000”; and

(2) in paragraph (3), by striking “\$31,153,000” and inserting “\$34,000,000”.

TITLE XXIII—AIR FORCE

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

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alabama	Maxwell Air Force Base	\$15,556,000
Alaska	Elmendorf Air Force Base	\$138,300,000
Arizona	Davis Monthan Air Force Base	\$15,000,000
California	Edwards Air Force Base	\$3,100,000
	Travis Air Force Base	\$12,100,000
Colorado	Peterson Air Force Base	\$4,900,000
	United States Air Force Academy	\$18,000,000
Delaware	Dover Air Force Base	\$19,000,000
Florida	Cape Canaveral Air Station	\$8,000,000
	Eglin Air Force Base	\$19,000,000
	MacDill Air Force Base	\$21,000,000
Georgia	Robins Air Force Base	\$24,100,000
Hawaii	Hickam Air Force Base	\$8,700,000
Louisiana	Barksdale Air Force Base	\$14,600,000
Maryland	Andrews Air Force Base	\$77,648,000
Mississippi	Columbus Air Force Base	\$8,100,000
	Keesler Air Force Base	\$6,600,000
Montana	Malmstrom Air Force Base	\$10,000,000
Nebraska	Offutt Air Force Base	\$11,800,000
Nevada	Crech Air Force Base	\$48,500,000
	Nellis Air Force Base	\$63,100,000
New Mexico	Holloman Air Force Base	\$25,450,000
North Carolina	Seymour Johnson Air Force Base	\$12,200,000
North Dakota	Grand Forks Air Force Base	\$13,000,000
Oklahoma	Altus Air Force Base	\$10,200,000
	Tinker Air Force Base	\$48,600,000
South Carolina	Charleston Air Force Base	\$4,500,000
	Shaw Air Force Base	\$9,900,000
South Dakota	Ellsworth Air Force Base	\$11,000,000
Texas	Dyess Air Force Base	\$21,000,000
	Fort Hood	\$10,800,000

Air Force: Inside the United States—Continued

State	Installation or Location	Amount
Utah	Lackland Air Force Base	\$75,515,000
Washington	Hill Air Force Base	\$41,400,000
Wyoming	McChord Air Force Base	\$5,500,000
	Francis E. Warren Air Force Base	\$8,600,000

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

Air Force: Outside the United States

Country	Installation or Location	Amount
Afghanistan	Bagram Airfield	\$57,200,000
Guam	Andersen Air Force Base	\$5,200,000
Kyrgyzstan	Manas Air Base	\$6,000,000
United Kingdom	Royal Air Force Lakenheath	\$7,400,000

(c) UNSPECIFIED WORLDWIDE.—Using the amounts appropriated pursuant to the authorization of appropriations in section 2304(3), the Secretary of the Air Force may acquire real property and carry out military construction projects for unspecified installations or locations in the amounts set forth in the following table:

Air Force: Unspecified Worldwide

Location	Installation or Location	Amount
Worldwide Classified	Classified Location	\$891,000
Worldwide Unspecified	Unspecified Worldwide Locations	\$52,500,000

SEC. 2302. FAMILY HOUSING.

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

Air Force: Family Housing

Location	Installation or Location	Purpose	Amount
United Kingdom	Royal Air Force Lakenheath	182 Units	\$71,828,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(6)(A), the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$7,708,000.

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(6)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed \$316,343,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal years beginning after Sep-

tember 30, 2008, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of \$2,057,408,000, as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), \$844,769,000.

(2) For military construction projects outside the United States authorized by section 2301(b), \$75,800,000.

(3) For the military construction projects at unspecified worldwide locations authorized by section 2301(c), \$53,391,000.

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

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, \$73,104,000.

(6) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, \$395,879,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), \$599,465,000.

SEC. 2305. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2006 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163; 119 Stat. 3501), authorizations set forth in the tables in subsection (b), as provided in section 2302 of that Act, shall remain in effect until October 1, 2009, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2010, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2006 Project Authorizations

State	Installation or Location	Project	Amount
Alaska	Eielson Air Force Base	Replace Family Housing (92 units)	\$37,650,000
		Purchase Build/Lease Housing (300 units)	\$18,144,000
California	Edwards Air Force Base	Replace Family Housing (226 units)	\$59,699,000
Florida	MacDill Air Force Base	Replace Family Housing (109 units)	\$40,982,000
Missouri	Whiteman Air Force Base	Replace Family Housing (111 units)	\$26,917,000
North Carolina	Seymour Johnson Air Force Base	Replace Family Housing (255 units)	\$48,868,000
North Dakota	Grand Forks Air Force Base	Replace Family Housing (150 units)	\$43,353,000

SEC. 2306. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2005 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108-375; 118 Stat. 2116), authorizations set forth in the table in subsection (b), as provided in sections 2301 and 2302 of that Act, shall

remain in effect until October 1, 2009, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2010, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2005 Project Authorizations

State/Country	Installation or Location	Project	Amount
Arizona	Davis-Monthan Air Force Base	Replace Family Housing (250 units)	\$48,500,000
California	Vandenberg Air Force Base	Replace Family Housing (120 units)	\$30,906,000
Florida	MacDill Air Force Base	Construct Housing Maintenance Facility	\$1,250,000
Missouri	Whiteman Air Force Base	Replace Family Housing (160 units)	\$37,087,000
North Carolina	Seymour Johnson Air Force Base	Replace Family Housing (167 units)	\$32,693,000
Germany	Ramstein Air Base	USAFE Theater Aerospace Operations Support Center	\$24,204,000

TITLE XXIV—DEFENSE AGENCIES

Subtitle A—Defense Agency Authorizations

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

(a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following tables:

Defense Education Activity

State	Installation or Location	Amount
Kentucky	Fort Campbell	\$21,400,000
North Carolina	Fort Bragg	\$78,471,000

Defense Intelligence Agency

State	Installation or Location	Amount
Illinois	Scott Air Force Base	\$13,977,000

Defense Logistics Agency

State	Installation or Location	Amount
California	Defense Distribution Depot, Tracy	\$50,300,000
Delaware	Defense Fuel Supply Center, Dover Air Force Base	\$3,373,000
Florida	Defense Fuel Support Point, Jacksonville	\$34,000,000
Georgia	Hunter Army Air Field	\$3,500,000
Hawaii	Pearl Harbor	\$27,700,000
New Mexico	Kirtland Air Force Base	\$14,400,000
Oklahoma	Altus Air Force Base	\$2,850,000
Pennsylvania	Philadelphia	\$1,200,000
Utah	Hill Air Force Base	\$20,400,000
Virginia	Craney Island	\$39,900,000

National Security Agency

State	Installation or Location	Amount
Maryland	Fort Meade	\$31,000,000

Special Operations Command

State	Installation or Location	Amount
California	Naval Amphibious Base, Coronado	\$9,800,000
Florida	Eglin Air Force Base	\$40,000,000
	Hurlburt Field	\$8,900,000
	MacDill Air Force Base	\$10,500,000
Kentucky	Fort Campbell	\$15,000,000
New Mexico	Cannon Air Force Base	\$26,400,000
North Carolina	Fort Bragg	\$38,250,000
Virginia	Fort Story	\$11,600,000
Washington	Fort Lewis	\$38,000,000

TRICARE Management Activity

State	Installation or Location	Amount
Alaska	Fort Richardson	\$6,300,000
Colorado	Buckley Air Force Base	\$3,000,000
Georgia	Fort Benning	\$3,900,000
Kansas	Fort Riley	\$52,000,000
Kentucky	Fort Campbell	\$24,000,000
Maryland	Aberdeen Proving Ground	\$430,000,000
Missouri	Fort Leonard Wood	\$22,000,000
Oklahoma	Tinker Air Force Base	\$65,000,000
Texas	Fort Sam Houston	\$13,000,000

Washington Headquarters Services

State	Installation or Location	Amount
Virginia	Pentagon Reservation	\$38,940,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(2), the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following tables:

Defense Logistics Agency

Country	Installation or Location	Amount
Germany	Germersheim	\$48,000,000
Greece	Souda Bay	\$27,761,000

Special Operations Command

Country	Installation or Location	Amount
Qatar	Al Udeid	\$9,200,000

TRICARE Management Activity

Country	Installation or Location	Amount
Guam	Naval Activities	\$30,000,000

Missile Defense Agency

Country	Installation or Location	Amount
Poland	Various Locations	\$661,380,000
Czech Republic	Various Locations	\$176,100,000

SEC. 2402. ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(6), the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, in the amount of \$80,000,000.

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments) in the total amount of \$1,821,379,000, as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), \$792,811,000.

(2) For military construction projects outside the United States authorized by section 2401(b), \$356,121,000.

(3) For unspecified minor military construction projects under section 2805 of title 10, United States Code, \$31,853,000.

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

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, \$155,793,000.

(6) For energy conservation projects authorized by section 2402 of this Act, \$80,000,000.

(7) For support of military family housing, including functions described in section 2833 of title 10, United States Code, and credits to the Department of Defense Family Housing Improvement Fund under section 2883 of title 10, United States Code, and the Homeowners Assistance Fund established under section

1013 of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374), \$54,581,000.

(8) For the construction of increment 4 of the National Security Agency regional security operations center at Augusta, Georgia, authorized by section 2401(a) of the Military Construction Authorization Act of Fiscal Year 2006 (division B of Public Law 109-163; 119 Stat. 3497), as amended by section 7016 of the Emergency Supplemental Appropriation Act for Defense, Global War on Terrorism and Hurricane Relief (Public Law 109-234; 120 Stat. 485), \$100,220,000.

(9) For the construction of increment 2 of the Army Medical Research Institute of Infectious Diseases Stage 1 at Fort Detrick, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act of Fiscal Year 2007 (division B of Public Law 109-364; 120 Stat. 2457), \$209,000,000.

(10) For the construction of increment 2 of the SOF Operational Facility at Dam Neck, Virginia, authorized by section 2401(a) of the Military Construction Authorization Act of Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 521), \$31,000,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the sum of the following:

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

(2) \$528,780,000 (the balance of the amount authorized for the Missile Defense Agency under section 2401(b) for the European interceptor site in Poland).

(3) \$67,540,000 (the balance of the amount authorized for the Missile Defense Agency

under section 2401(b) for the European mid-course radar site in the Czech Republic.

(c) LIMITATION ON EUROPEAN MISSILE DEFENSE CONSTRUCTION PROJECTS.—Funds appropriated pursuant to the authorization of appropriations in subsection (a)(2) for the projects authorized for the Missile Defense Agency under section 2401(b) may only be obligated or expended in accordance with the conditions specified in section 232 of this Act.

SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2007 PROJECT.

(a) MODIFICATION.—The table relating to TRICARE Management Activity in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109-364; 120 Stat. 2457), is amended in the item relating to Fort Detrick, Maryland, by striking “\$550,000,000” in the amount column and inserting “\$683,000,000”.

(b) CONFORMING AMENDMENT.—Section 2405(b)(3) of the Military Construction Authorization Act of Fiscal Year 2007 (division B of Public Law 109-364; 120 Stat. 2461) is amended by striking “\$521,000,000” and inserting “\$654,000,000”.

SEC. 2405. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2006 PROJECT.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163; 119 Stat. 3501), authorizations set forth in the tables in subsection (b), as provided in section 2401 of that Act, shall remain in effect until October 1, 2009, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2010, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Logistics Agency: Extension of 2006 Project Authorization

Installation or Location	Project	Amount
Defense Logistics Agency	Defense Distribution Depot Susquehanna, New Cumberland, Pennsylvania	\$6,500,000

Subtitle B—Chemical Demilitarization Authorizations

SEC. 2411. AUTHORIZED CHEMICAL DEMILITARIZATION PROGRAM CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2412(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Chemical Demilitarization Program: Inside the United States

Army	Installation or Location	Amount
Army	Blue Grass Army Depot, Kentucky	\$12,000,000

SEC. 2412. AUTHORIZATION OF APPROPRIATIONS, CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, for military construction and land acquisition for chemical demilitarization in the total amount of \$134,278,000, as follows:

(1) For military construction projects inside the United States authorized by section 2411(a), \$12,000,000.

(2) For the construction of phase 10 of a munitions demilitarization facility at Pueblo Chemical Activity, Colorado, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104-201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 839) and section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107-314; 116 Stat. 2698), \$65,060,000.

(3) For the construction of phase 9 of a munitions demilitarization facility at Blue Grass Army Depot, Kentucky, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 835), as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107-107; 115 Stat. 1298) and section 2405 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107-314; 116 Stat. 2698), \$67,218,000.

SEC. 2413. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 1997 PROJECT.

(a) MODIFICATIONS.—The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104-201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat.

839) and section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107-314; 116 Stat. 2699), is amended—

(1) under the agency heading relating to the Chemical Demilitarization Program, in the item relating to Pueblo Army Depot, Colorado, by striking “\$261,000,000” in the amount column and inserting “\$484,000,000”; and

(2) by striking the amount identified as the total in the amount column and inserting “\$830,454,000”.

(b) CONFORMING AMENDMENT.—Section 2406(b)(2) of the Military Construction Authorization Act for Fiscal Year 1997 (110 Stat. 2779), as so amended, is further amended by striking “\$261,000,000” and inserting “\$484,000,000”.

SEC. 2414. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2000 PROJECT.

(a) MODIFICATIONS.—The table in section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 835), as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107-107; 115 Stat. 1298) and section 2405 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107-314; 116 Stat. 2698), is amended—

(1) under the agency heading relating to Chemical Demilitarization, in the item relating to Blue Grass Army Depot, Kentucky, by striking “\$290,325,000” in the amount column and inserting “\$492,000,000”; and

(2) by striking the amount identified as the total in the amount column and inserting “\$949,920,000”.

(b) CONFORMING AMENDMENT.—Section 2405(b)(3) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 839), as amended by section 2405 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107-107; 115

Stat. 1298) and section 2405 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107-314; 116 Stat. 2698), is further amended by striking “\$267,525,000” and inserting “\$469,200,000”.

TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

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

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

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501, in the amount of \$240,867,000.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(1)(A), the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations, and in the amounts, set forth in the following table:

Army National Guard

State	Location	Amount
Alabama	Fort McClellan	\$3,000,000
Alaska	Bethel Armory	\$16,000,000
Arizona	Camp Navajo	\$13,000,000
	Florence	\$13,800,000
	Papago Military Reservation	\$24,000,000
Colorado	Denver	\$9,000,000
	Grand Junction	\$9,000,000
Connecticut	Camp Rell	\$28,000,000
	East Haven	\$13,800,000
Delaware	New Castle	\$28,000,000
Florida	Camp Blanding	\$12,400,000
Georgia	Dobbins Air Reserve Base	\$45,000,000
Idaho	Orchard Training Area	\$1,850,000
Illinois	Urbana Armory	\$16,186,000
Indiana	Camp Atterbury	\$5,800,000

Army National Guard—Continued

State	Location	Amount
Maine	Lawrence	\$21,000,000
Maryland	Bangor	\$20,000,000
Massachusetts	Edgewood	\$28,000,000
Michigan	Salisbury	\$9,800,000
Minnesota	Methuen	\$21,000,000
Nevada	Camp Grayling	\$18,943,000
New York	Arden Hills	\$15,000,000
South Carolina	Elko	\$11,375,000
South Dakota	Fort Drum	\$11,000,000
Utah	Queensbury	\$5,900,000
Virginia	Anderson	\$12,000,000
Vermont	Beaufort	\$3,400,000
Washington	Eastover	\$28,000,000
	Rapid City	\$43,463,000
	Camp Williams	\$17,500,000
	Arlington	\$15,500,000
	Fort Pickett	\$2,950,000
	Ethan Allen Range Jericho	\$10,200,000
	Fort Lewis (Gray Army Airfield)	\$32,000,000

SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(1)(B), the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations, and in the amounts, set forth in the following table:

Army Reserve

State	Location	Amount
California	Fort Hunter Liggett	\$3,950,000
Hawaii	Fort Shafter	\$19,199,000
Idaho	Hayden Lake	\$9,580,000
Kansas	Dodge City	\$8,100,000
Maryland	Baltimore	\$11,600,000
Massachusetts	Fort Devens	\$1,900,000
Michigan	Saginaw	\$11,500,000
Missouri	Weldon Springs	\$11,700,000
Nevada	Las Vegas	\$33,900,000
New Jersey	Fort Dix	\$3,825,000
New York	Kingston	\$13,494,000
	Shoreham	\$15,031,000
	Staten Island	\$18,550,000
North Carolina	Raleigh	\$25,581,000
Pennsylvania	Letterkenny Army Depot	\$14,914,000
Tennessee	Chattanooga	\$10,600,000
Texas	Sinton	\$9,700,000
Washington	Seattle	\$37,500,000
Wisconsin	Fort McCoy	\$4,000,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
California	Lemoore	\$15,420,000
Delaware	Wilmington	\$11,530,000
Georgia	Marietta	\$7,560,000
Virginia	Norfolk	\$8,170,000
	Williamsburg	\$12,320,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(3)(A), the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
Arkansas	Little Rock Air Force Base	\$4,000,000
Colorado	Buckley Air Force Base	\$4,200,000
Delaware	New Castle County Airport	\$14,800,000
Iowa	Fort Dodge	\$5,600,000
Kansas	Smoky Hill Air National Guard Range	\$7,100,000
Massachusetts	Otis Air National Guard Base	\$14,300,000
Minnesota	Duluth 148th Fighter Wing Base	\$4,500,000
Mississippi	Gulfport-Biloxi International Airport	\$3,400,000
New York	Gabreski Airport, Westhampton	\$7,500,000

Air National Guard—Continued

State	Location	Amount
Rhode Island	Hancock Field	\$5,000,000
Tennessee	Quonset State Airport	\$7,700,000
Vermont	Knoxville	\$8,000,000
Washington	Burlington International Airport	\$6,600,000
West Virginia	McCord Air Force Base	\$8,600,000
Wisconsin	Yeager Airport, Charleston	\$27,000,000
Wyoming	Truax Field	\$6,300,000
	Cheyenne Municipal Airport	\$7,000,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606(3)(B), the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations, and in the amounts, set forth in the following table:

Air Force Reserve

State	Location	Amount
Georgia	Dobbins Air Reserve Base	\$6,450,000
Oklahoma	Tinker Air Force Base	\$9,900,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), in the following amounts:

- (1) For the Department of the Army—
 - (A) for the Army National Guard of the United States, \$634,407,000; and
 - (B) for the Army Reserve, \$281,687,000.
- (2) For the Department of the Navy, for the Navy and Marine Corps Reserve, \$57,045,000.
- (3) For the Department of the Air Force—
 - (A) for the Air National Guard of the United States, \$156,124,000; and
 - (B) for the Air Force Reserve, \$26,615,000.

SEC. 2607. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2006 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163; 119 Stat. 3501), the authorizations set forth in the table in subsection (b), as provided in section 2601 of that Act, shall remain in effect until October 1, 2009, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2010, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army National Guard: Extension of 2006 Project Authorizations

State	Installation or Location	Project	Amount
California	Camp Roberts	Urban Assault Course	\$1,485,000
Idaho	Gowen Field	Railhead, Phase 1	\$8,331,000
Mississippi	Biloxi	Readiness Center	\$16,987,000
Montana	Camp Shelby	Modified Record Fire Range	\$2,970,000
	Townsend	Automated Qualification Training Range.	\$2,532,000
Pennsylvania	Philadelphia	Stryker Brigade Combat Team Readiness Center.	\$11,806,000
	Philadelphia	Organizational Maintenance Shop #7 ..	\$6,144,930

SEC. 2608. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2005 PROJECT.

(a) EXTENSION.—Notwithstanding section 2701 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108-375; 118 Stat. 2116), the authorization set forth in the table in subsection (b), as provided in section 2601 of that Act, shall remain in effect until October 1, 2009, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2010, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army National Guard: Extension of 2005 Project Authorization

State	Installation or Location	Project	Amount
California	Dublin	Readiness Center, Add/Alt (ADRS)	\$11,318,000

SEC. 2609. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2008 PROJECT.

The table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 527) is amended in the item relating to North Kingstown, Rhode Island, by striking “\$33,000,000” in the amount column and inserting “\$38,000,000”.

TITLE XXVII—BASE CLOSURE AND REALIGNMENT ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE CLOSURE AND REALIGNMENT ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, for base closure and realignment activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title

XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 1990 established by section 2906 of such Act, in the total amount of \$393,377,000, as follows:

- (1) For the Department of the Army, \$72,855,000.
- (2) For the Department of the Navy, \$178,700,000.
- (3) For the Department of the Air Force, \$139,155,000.
- (4) For the Defense Agencies, \$2,667,000.

SEC. 2702. AUTHORIZED BASE CLOSURE AND REALIGNMENT ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005.

Using amounts appropriated pursuant to the authorization of appropriations in section 2703, the Secretary of Defense may carry out base closure and realignment activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 2005 established by section 2906A of such Act, in the amount of \$6,982,334,000.

SEC. 2703. AUTHORIZATION OF APPROPRIATIONS FOR BASE CLOSURE AND REALIGNMENT ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, for base closure and realignment activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 2005 established by section 2906A of such Act, in the total amount of \$9,065,386,000, as follows:

(1) For the Department of the Army, \$4,486,178,000.

(2) For the Department of the Navy, \$871,492,000.

(3) For the Department of the Air Force, \$1,072,925,000.

(4) For the Defense Agencies, \$2,634,791,000.

SEC. 2704. MODIFICATION OF ANNUAL BASE CLOSURE AND REALIGNMENT REPORTING REQUIREMENTS.

Section 2907 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended—

(1) by striking “As part of the budget request for fiscal year 2007 and for each fiscal year thereafter” and inserting “(a) REPORTING REQUIREMENT.—As part of the budget request for fiscal year 2007 and for each fiscal year thereafter through fiscal year 2016”; and

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

“(b) TERMINATION OF REPORTING REQUIREMENTS RELATED TO REALIGNMENT ACTIONS.—The reporting requirements under subsection (a) shall terminate with respect to realignment actions after the report submitted with the budget for fiscal year 2014.”

SEC. 2705. TECHNICAL CORRECTIONS REGARDING AUTHORIZED COST AND SCOPE OF WORK VARIATIONS FOR MILITARY CONSTRUCTION AND MILITARY FAMILY HOUSING PROJECTS RELATED TO BASE CLOSURES AND REALIGNMENTS.

(a) CORRECTION OF CITATION IN AMENDATORY LANGUAGE.—

(1) IN GENERAL.—Section 2704(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 532) is amended by striking “section 2905A” both places it appears and inserting “section 2906A”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on January 28, 2008, as if included in the enactment of section 2704 of the Military Construction Authorization Act for Fiscal Year 2008.

(b) CORRECTION OF SCOPE OR WORK VARIATION LIMITATION.—Section 2906A(f) of the Defense Base Closure and Realignment Act

of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note), as added by section 2704(a) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 532) and amended by subsection (a), is amended by striking “20 percent or \$2,000,000, whichever is greater” and inserting “20 percent or \$2,000,000, whichever is less”.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. INCREASE IN THRESHOLD FOR UNSPECIFIED MINOR MILITARY CONSTRUCTION PROJECTS.

Section 2805(a)(1) of title 10, United States Code, is amended by striking “\$2,000,000” in the first sentence and all that follows through the period at the end of the second sentence and inserting “\$3,000,000”.

SEC. 2802. AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.

(a) ONE-YEAR EXTENSION OF AUTHORITY.—Subsection (a) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108-136; 117 Stat. 1723), as amended by section 2810 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108-375; 118 Stat. 2128), section 2809 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163; 119 Stat. 3508), section 2802 of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109-364; 120 Stat. 2466), and section 2801 of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 538), is further amended by striking “2008” and inserting “2009”.

(b) EXCEPTION FOR PROJECTS IN AFGHANISTAN FROM LIMITATION ON AUTHORITY RELATED TO LONG-TERM UNITED STATES PRESENCE.—Such subsection, as so amended, is further amended by inserting before the period at the end of paragraph (2) the following: “, unless the military installation is located in Afghanistan, in which case the condition shall not apply”.

(c) QUARTERLY REPORTS.—Subsection (d)(1) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108-136; 117 Stat. 1723), as amended by section 2810 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108-375; 118 Stat. 2128) and section 2809 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163; 119 Stat. 3508), is further amended by striking “30 days” and inserting “45 days”.

SEC. 2803. IMPROVED OVERSIGHT AND ACCOUNTABILITY FOR MILITARY HOUSING PRIVATIZATION INITIATIVE PROJECTS.

(a) IN GENERAL.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 2885. Oversight and accountability for privatization projects

“(a) OVERSIGHT AND ACCOUNTABILITY MEASURES.—Each Secretary concerned shall prescribe regulations to effectively oversee and manage military housing privatization projects carried out under this subchapter. The regulations shall include the following requirements for each privatization project:

“(1) The installation asset manager shall conduct monthly site visits and provide reports on the progress of the construction or renovation of the housing units. The reports shall be endorsed by the commander at such installation and submitted quarterly to the

assistant secretary for installations and environment of the respective military department and the Deputy Under Secretary of Defense (Installations and Environment).

“(2) The installation asset manager, and, as applicable, the resident construction manager, privatization asset manager, bondholder representative, project owner, developer, general contractor, and construction consultant for the project shall conduct monthly meetings to ensure that the construction or renovation of the units meets performance and schedule requirements and that appropriate operating and ground lease agreements are in place and adhered to.

“(3) If a project is 90 days or more behind schedule or otherwise appears to be substantially failing to adhere to the obligations or milestones under the contract, the assistant secretary for installations and environment of the respective military department shall submit a notice of deficiency to the Deputy Under Secretary of Defense (Installations and Environment), the Secretary concerned, the managing member, and the trustee for the project.

“(4)(A) Not later than 15 days after the submittal of a notice of deficiency under paragraph (3), the Secretary concerned shall submit to the project owner, developer, or general contractor responsible for the project a summary of deficiencies related to the project.

“(B) If the project owner, developer, or general contractor responsible for the project is unable, within 30 days after receiving a notice of deficiency under subparagraph (A), to make progress on the issues outlined in such notice, the Secretary concerned shall submit to the project owner, developer, or general contractor, the bondholder representative, and the trustee an official letter of concern addressing the deficiencies and detailing the corrective actions that should be taken to correct the deficiencies.

“(C) If the project owner, developer, or general contractor responsible for the privatization project is unable, within 60 days after receiving a notice of deficiency under subparagraph (A), to make progress on the issues outlined in such notice, the Deputy Under Secretary of Defense (Installations and Environment) shall notify the congressional defense committees of the status of the project, and shall provide a recommended course of action to correct the problems.

“(b) COMMUNITY MEETINGS.—(1) Prior to the commencement of privatization project, the assistant secretary for installations and environment of the respective military department and the commanding officer of the local military installation shall hold a meeting with the local community to communicate the following information:

“(A) The nature of the project.

“(B) Any contractual arrangements.

“(C) Potential liabilities to local construction management companies and subcontractors.

“(2) The requirement under paragraph (1) may be met by publishing the information described in such paragraph on the Federal Business Opportunities (FedBizOpps) Internet website.

“(c) REQUIRED QUALIFICATIONS.—The Secretary concerned shall certify that the project owner, developer, or general contractor that is selected for each military housing privatization initiative project has construction experience commensurate with that required to complete the project.

“(d) BONDING LEVELS.—The Secretary concerned shall ensure that the project owner, developer, or general contractor responsible

for a military housing privatization initiative project has sufficient payment and performance bonds or suitable instruments in place for each phase of a construction or renovation portion of the project to ensure successful completion of the work in amounts as agreed to in the project's legal documents, but in no case less than 50 percent of the total value of the active phases of the project, prior to the commencement of work for that phase.

“(e) CERTIFICATIONS REGRADING PREVIOUS BANKRUPTCY DECLARATIONS.—If a military department awards a contract or agreement for a military housing privatization initiative project to a project owner, developer, or general contractor that has previously declared bankruptcy, the Secretary concerned shall specify in the notification to Congress of the project award the extent to which the issues related to the previous bankruptcy are expected to impact the ability of the project owner, developer, or general contractor to complete the project.

“(f) COMMUNICATION REGARDING POOR PERFORMANCE.—The Deputy Under Secretary of Defense (Installations and Environment) shall prescribe policies to provide for regular and appropriate communication between representatives of the military departments and bondholders for military housing privatization initiative projects to ensure timely action to address inadequate performance in carrying out projects.

“(g) REPORTING OF EFFORTS TO SELECT SUCCESSOR IN EVENT OF DEFAULT.—In the event a military housing privatization initiative project enters into default, the assistant secretary for installations and environment of the respective military department shall submit a report to the congressional defense committees every 90 days detailing the status of negotiations to award the project to a new project owner, developer, or general contractor.

“(h) EFFECT OF UNSATISFACTORY PERFORMANCE RATING ON AFFILIATED ENTITIES.—In the event the project owner, developer, or general contractor for a military construction project receives an unsatisfactory performance rating due to poor performance, each parent, subsidiary, affiliate, or other controlling entity of such owner, developer, or contractor shall also receive an unsatisfactory performance rating.

“(i) EFFECT OF NOTICES OF DEFICIENCY ON CONTRACTORS AND AFFILIATED ENTITIES.—(1) The Deputy Under Secretary of Defense (Installations and Environment) shall keep a record of all plans of action or notices of deficiency issued to a project owner, developer, or general contractor under subsection (a)(4), including the identity of each parent, subsidiary, affiliate, or other controlling entity of such owner, developer, or contractor.

“(2) CONSULTATION.—Each military department shall consult the records maintained under paragraph (1) when reviewing the past performance of owners, developers, and contractors in the bidding process for a contract or other agreement for a military housing privatization initiative project.

“(j) PROCEDURES FOR IDENTIFYING AND COMMUNICATING BEST PRACTICES FOR TRANSACTIONS.—(1) The Secretary of Defense shall identify best practices for military housing privatization projects, including—

“(A) effective means to track and verify proper performance, schedule, and cash flow;

“(B) means of overseeing the actions of bondholders to properly monitor construction progress and construction draws;

“(C) effective structuring of transactions to ensure the United States Government has adequate abilities to oversee project owner performance; and

“(D) ensuring that notices to proceed on new work are not issued until proper bonding is in place.

“(2) The Secretary shall prescribe regulations to implement the best practices developed pursuant to paragraph (1).”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

“2885. Oversight and accountability for privatization projects.”

SEC. 2804. LEASING OF MILITARY FAMILY HOUSING TO SECRETARY OF DEFENSE.

(a) LEASING OF HOUSING.—Subchapter II of chapter 169 of title 10, United States Code, is amended by inserting after section 2837 the following new section:

“§2838. Leasing of military family housing to Secretary of Defense

“(a) AUTHORITY.—(1) The Secretary of a military department may lease to the Secretary of Defense military family housing in the National Capital Region (as defined in section 2674(f) of this title).

“(2) In determining the military housing unit to lease under this section, the Secretary of Defense should first consider any available military housing units that are already substantially equipped for executive communications and security.

“(b) RENTAL RATE.—A lease under subsection (a) shall provide for the payment by the Secretary of Defense of consideration in an amount equal to 105 percent of the monthly rate of basic allowance for housing prescribed under section 403(b) of title 37 for a member of the uniformed services in the pay grade of O-10 with dependents assigned to duty at the military installation on which the leased housing unit is located. A rate so established shall be considered the fair market value of the lease interest.

“(c) TREATMENT OF PROCEEDS.—(1) The Secretary of a military department shall deposit all amounts received pursuant to leases entered into by the Secretary under this section into a special account in the Treasury established for such military department.

“(2) The proceeds deposited into the special account of a military department pursuant to paragraph (1) shall be available to the Secretary of that military department, without further appropriation, for the maintenance, protection, alteration, repair, improvement, or restoration of military housing on the military installation at which the housing leased pursuant to subsection (a) is located.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

“2838. Leasing of military family housing to Secretary of Defense.”

SEC. 2805. COST-BENEFIT ANALYSIS OF DISSOLUTION OF PATRICK FAMILY HOUSING LLC.

(a) COST-BENEFIT ANALYSIS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a cost-benefit analysis of dissolving Patrick Family Housing LLC without exercising the full range of rights available to the United States Government to recover damages from the partnership.

(b) CONTENT.—The analysis required under subsection (a) shall include an evaluation of the best practices for executing military housing privatization projects as determined by the Department of Defense and the Secretaries concerned and the other options available to restore the financial health of non-performing or defaulting projects.

(c) TEMPORARY MORATORIUM ON CERTAIN ACTIONS.—The Secretary of the Air Force may not, in carrying out a military housing privatization project initiated at Patrick Air Force Base, Florida, dissolve the Patrick

Family Housing LLC until the Secretary of the Air Force submits the cost-benefit analysis required under subsection (a).

Subtitle B—Real Property and Facilities Administration

SEC. 2811. PARTICIPATION IN CONSERVATION BANKING PROGRAMS.

(a) IN GENERAL.—Chapter 159 of title 10, United States Code, is amended by inserting after section 2694b the following new section:

“§2694c. Participation in conservation banking programs

“(a) AUTHORITY TO PARTICIPATE.—The Secretary of a military department, and the Secretary of Defense with respect to matters concerning a Defense Agency, when engaged or proposing to engage in an authorized activity that may or will result in an adverse impact on one or more species protected (or pending protection) under any applicable provision of law, or on a habitat for such species, may make payments to a conservation banking program or ‘in-lieu-fee’ mitigation sponsor approved in accordance with the Federal Guidance for the Establishment, Use and Operation of Mitigation Banks (60 Fed. Reg. 58605; November 28, 1995) or the Guidance for the Establishment, Use, and Operation of Conservation Banks (68 Fed. Reg. 24753; May 2, 2003), or any successor or related administrative guidance or regulation.

“(b) FACILITATION OF TESTING OR TRAINING ACTIVITIES OR MILITARY CONSTRUCTION.—Participation in conservation banking and ‘in-lieu-fee’ programs under subsection (a) shall be for the purposes of facilitating—

“(1) military testing or training activities; or

“(2) military construction.

“(c) TREATMENT OF PAYMENTS.—Payments made under subsection (a) to a conservation banking program or ‘in-lieu-fee’ mitigation sponsor for the purpose of facilitating military construction may be treated as eligible project costs for such military construction.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2694b the following new item:

“2694c. Participation in conservation banking programs.”

SEC. 2812. CLARIFICATION OF CONGRESSIONAL REPORTING REQUIREMENTS FOR CERTAIN REAL PROPERTY TRANSACTIONS.

Section 2662(c) of title 10, United States Code, is amended by striking “river and harbor projects or flood control projects” and inserting “water resource development projects of the Corps of Engineers”.

SEC. 2813. MODIFICATION OF LAND MANAGEMENT RESTRICTIONS APPLICABLE TO UTAH NATIONAL DEFENSE LANDS.

Section 2815 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 113 Stat. 852) is amended—

(1) in subsection (a), by striking “that are adjacent to or near the Utah Test and Training Range and Dugway Proving Ground or beneath” and inserting “that are beneath”; and

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

“(e) SUNSET DATE.—This section shall expire on October 1, 2013.”

Subtitle C—Land Conveyances

SEC. 2821. TRANSFER OF PROCEEDS FROM PROPERTY CONVEYANCE, MARINE CORPS LOGISTICS BASE, ALBANY, GEORGIA.

(a) TRANSFER AUTHORIZED.—The Secretary of Defense may transfer any proceeds from the sale of approximately 120.375 acres of improved land located at the former Boyett Village Family Housing Complex at the Marine Corps Logistics Base, Albany, Georgia,

into the Department of Defense Family Housing Improvement Fund established under section 2883(a)(1) of title 10, United States Code, for carrying out activities under subchapter IV of chapter 169 of that title with respect to military family housing.

(b) NOTIFICATION REQUIREMENT.—A transfer of proceeds under subsection (a) may be made only after the end of the 30-day period beginning on the date the Secretary of Defense submits written notice of the transfer to the congressional defense committees.

Subtitle D—Energy Security

SEC. 2831. EXPANSION OF AUTHORITY OF THE MILITARY DEPARTMENTS TO DEVELOP ENERGY ON MILITARY LANDS.

(a) DEVELOPMENT OF ANY RENEWABLE ENERGY RESOURCE.—Section 2917 of title 10, United States Code, is amended—

(1) by inserting “(a) DEVELOPMENT OF RENEWABLE ENERGY RESOURCES.—” before “The Secretary of a military department”;

(2) in subsection (a), as designated by paragraph (1), by striking “geothermal energy resource” and inserting “renewable energy resource”; and

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

“(b) RENEWABLE ENERGY RESOURCE DEFINED.—In this section, the term ‘renewable

energy resource’ has the meaning given the term ‘renewable energy’ in section 203(b)(2) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)(2)).”

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

“§2917. Development of renewable energy resources on military lands”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 173 of such title is amended by striking the item relating to section 2917 and inserting the following new item:

“2917. Development of renewable energy resources on military lands.”.

Subtitle E—Other Matters

SEC. 2841. REPORT ON APPLICATION OF FORCE PROTECTION AND ANTI-TERRORISM STANDARDS TO GATES AND ENTRY POINTS ON MILITARY INSTALLATIONS.

(a) REPORT REQUIRED.—Not later than February 1, 2009, the Secretary of Defense shall submit to the congressional defense committees a report on the implementation of Department of Defense Anti-Terrorism/Force Protection standards at gates and entry points of military installations.

(b) CONTENT.—The report required under subsection (a) shall include the following:

(1) A description of the anti-terrorism/force protection standards for gates and entry points.

(2) An assessment, by installation, of whether the gates and entry points meet anti-terrorism/force protection standards.

(3) An assessment of whether the standards are met with either temporary or permanent measures, facilities, or equipment.

(4) A description and cost estimate of each action to be taken by the Secretary of Defense for each installation to ensure compliance with Department of Defense Anti-Terrorism/Force Protection standards using permanent measures and construction methods.

(5) An investment plan to complete all action required to ensure compliance with the standards described under paragraph (1).

TITLE XXIX—WAR-RELATED MILITARY CONSTRUCTION AUTHORIZATIONS

Subtitle A—Fiscal Year 2008 Projects

SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

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

Army: Inside the United States

State	Installation or Location	Amount
Alaska	Fort Wainwright	\$17,000,000
California	Fort Irwin	\$11,800,000
Colorado	Fort Carson	\$8,400,000
Georgia	Fort Gordon	\$7,800,000
Hawaii	Schofield Barracks	\$12,500,000
Kentucky	Fort Campbell	\$9,900,000
	Fort Knox	\$7,400,000
North Carolina	Fort Bragg	\$8,500,000
Oklahoma	Fort Sill	\$9,000,000
Texas	Fort Bliss	\$17,300,000
	Fort Hood	\$7,200,000
	Fort Sam Houston	\$7,000,000
Virginia	Fort Lee	\$7,400,000

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

Army: Outside the United States

Country	Installation or Location	Amount
Iraq	Camp Adder	\$13,200,000
	Camp Ramadi	\$6,200,000
	Fallujah	\$5,500,000

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds authorized to be appropriated under 2901(c) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 571), funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2007, for military construction, land acquisition, and military family housing functions of the Department of the

Army in the total amount of \$162,100,000 as follows:

(1) For military construction projects inside the United States authorized by subsection (a), \$131,200,000.

(2) For military construction projects outside the United States authorized by subsection (b), \$24,900,000.

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

SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in subsection (b)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or 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	\$9,270,000
	China Lake	\$7,210,000
	Point Mugu	\$7,250,000
	San Diego	\$12,299,000
	Twentynine Palms	\$11,250,000
Florida	Eglin Air Force Base	\$780,000
Mississippi	Gulfport	\$6,570,000

Navy: Inside the United States—Continued

State	Installation or Location	Amount
North Carolina	Camp Lejeune	\$27,980,000
Virginia	Yorktown	\$8,070,000

(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds authorized to be appropriated under 2902(d) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 572), funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2007, for military construction, land acquisition, and military family housing functions of the Department of the

Navy in the total amount of \$94,731,000 as follows:

(1) For military construction projects inside the United States authorized by subsection (a), \$90,679,000.

(2) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, \$4,052,000.

SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in subsection (c)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

Country	Installation or Location	Amount
California	Beale Air Force Base	\$17,600,000
Florida	Eglin Air Force Base	\$11,000,000
New Mexico	Cannon Air Force Base	\$8,000,000

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

Air Force: Outside the United States

Country	Installation or Location	Amount
Qatar	Al Udeid	\$60,400,000

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds authorized to be appropriated under 2903(b) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 573), funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2007, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of \$98,427,000, as follows:

(1) For military construction projects inside the United States authorized by subsection (a), \$36,600,000.

(2) For military construction projects outside the United States authorized by subsection (b), \$60,400,000.

(3) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, \$1,427,000.

SEC. 2904. TERMINATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2008 ARMY PROJECTS.

(a) TERMINATION OF AUTHORITY.—The table in section 2901(b) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 570), is amended—

(1) in the item relating to Camp Adder, Iraq, by striking “\$80,650,000” in the amount column and inserting “\$75,800,000”;

(2) in the item relating to Camp Anaconda, Iraq, by striking “\$53,500,000” in the amount column and inserting “\$10,500,000”;

(3) in the item relating to Camp Victory, Iraq, by striking “\$65,400,000” in the amount column and inserting “\$60,400,000”;

(4) by striking the item relating to Tikrit, Iraq; and

(5) in the item relating to Camp Speicher, Iraq, by striking “\$83,900,000” in the amount column and inserting “\$74,100,000”.

(b) CONFORMING AMENDMENTS.—Section 2901(c) of the Military Construction Authorization Act for Fiscal Year 2008 (division B of Public Law 110-181; 122 Stat. 571) is amended—

(1) by striking “\$1,257,750,000” and inserting “\$1,152,100,000”; and

(2) in paragraph (2), by striking “\$1,055,450,000” and inserting “\$949,800,000”.

Subtitle B—Fiscal Year 2009 Projects

SEC. 2911. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in subsection (b)(1), the Secretary of the Army may acquire real property and carry out military construction projects to construct or renovate warrior transition unit facilities at the installations or locations inside the United States set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Various	Various locations	\$400,000,000

(b) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of \$450,000,000, as follows:

(1) For military construction projects inside the United States authorized by subsection (a), \$400,000,000.

(2) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, \$50,000,000.

(c) REPORT REQUIRED BEFORE COMMENCING CERTAIN PROJECTS.—Funds may not be obligated for the projects authorized by this section until 14 days after the date on which the Secretary of Defense submits to the congressional defense committees a report containing a detailed justification for the projects.

SEC. 2912. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in subsection (b)(1), the Secretary of the Navy may acquire real property and carry out military construction projects to construct or renovate warrior transition unit facilities at the installations or locations inside the United States set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Various	Various locations	\$40,000,000

(b) AUTHORIZATION OF APPROPRIATIONS.—Subject to section 2825 of title 10, United States Code, funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2008, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of \$50,000,000, as follows:

(1) For military construction projects inside the United States authorized by subsection (a), \$40,000,000.

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

(c) REPORT REQUIRED BEFORE COMMENCING CERTAIN PROJECTS.—Funds may not be obligated for the projects authorized by this section until 14 days after the date on which the Secretary of Defense submits to the congressional defense committees a report containing a detailed justification for the projects.

SEC. 2913. LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN PURPOSES RELATING TO IRAQ.

No funds appropriated pursuant to an authorization of appropriations in this Act may be obligated or expended for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control of the oil resources of Iraq.

DEPARTMENT OF ENERGY NATIONAL SECURITY ACT FOR FISCAL YEAR 2009

On Wednesday, September 17, 2008, the Senate passed S. 3004, as amended, as follows:

S. 3004

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Department of Energy National Security Act for Fiscal Year 2009”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Congressional defense committees.
- DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS
- TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
- Subtitle A—National Security Programs Authorizations
- Sec. 3101. National Nuclear Security Administration.
- Sec. 3102. Defense environmental cleanup.
- Sec. 3103. Other defense activities.
- Sec. 3104. Defense nuclear waste disposal.

Subtitle B—Program Authorizations, Restrictions, and Limitations

- Sec. 3111. Modification of functions of Administrator for Nuclear Security to include elimination of surplus fissile materials usable for nuclear weapons.
- Sec. 3112. Report on compliance with Design Basis Threat issued by the Department of Energy in 2005.
- Sec. 3113. Modification of submittal of reports on inadvertent releases of restricted data.

Sec. 3114. Nonproliferation scholarship and fellowship program.

Sec. 3115. Review of and reports on Global Initiatives for Proliferation Prevention program.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

For purposes of this Act, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2009 for the activities of the National Nuclear Security Administration in carrying out programs necessary for national security in the amount of \$9,641,892,000, to be allocated as follows:

- (1) For weapons activities, \$6,610,701,000.
- (2) For defense nuclear nonproliferation activities, including \$538,782,000 for fissile materials disposition, \$1,799,056,000.
- (3) For naval reactors, \$828,054,000.
- (4) For the Office of the Administrator for Nuclear Security, \$404,081,000.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

(1) For readiness in technical base and facilities, the following new plant projects:

Project 09-D-404, Test Capabilities Revitalization Phase 2, Sandia National Laboratory, Albuquerque, New Mexico, \$3,200,000.

Project 08-D-806, Ion Beam Laboratory Project, Sandia National Laboratory, Albuquerque, New Mexico, \$10,014,000.

(2) For naval reactors, the following new plant projects:

Project 09-D-902, Naval Reactors Facility Production Support Complex, Naval Reactors Facility, Idaho Falls, Idaho, \$8,300,000.

Project 09-D-190, Project engineering and design, Knolls Atomic Power Laboratory infrastructure upgrades, Knolls Atomic Power Laboratory, Kesselring Site, Schenectady, New York, \$1,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2009 for defense environmental cleanup activities in carrying out programs necessary for national security in the amount of \$5,297,256,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2009 for other defense activities in carrying out programs necessary for national security in the amount of \$826,453,000.

SEC. 3104. DEFENSE NUCLEAR WASTE DISPOSAL.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2009 for defense nuclear waste disposal for payment to the Nuclear Waste Fund established in section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)) in the amount of \$197,371,000.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. MODIFICATION OF FUNCTIONS OF ADMINISTRATOR FOR NUCLEAR SECURITY TO INCLUDE ELIMINATION OF SURPLUS FISSILE MATERIALS USABLE FOR NUCLEAR WEAPONS.

Section 3212(b)(1) of the National Nuclear Security Administration Act (50 U.S.C. 2402(b)(1)) is amended—

(1) by redesignating paragraph (18) as paragraph (19); and

(2) by inserting after paragraph (17) the following new paragraph (18):

“(18) Eliminating inventories of surplus fissile materials usable for nuclear weapons.”

SEC. 3112. REPORT ON COMPLIANCE WITH DESIGN BASIS THREAT ISSUED BY THE DEPARTMENT OF ENERGY IN 2005.

(a) IN GENERAL.—Not later than January 2, 2009, the Secretary of Energy shall submit to the congressional defense committees a report setting forth the status of the compliance of Department of Energy sites with the Design Basis Threat issued by the Department in November 2005 (in this section referred to as the “2005 Design Basis Threat”).

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) For each Department of Energy site subject to the 2005 Design Basis Threat, an assessment of whether the site has achieved compliance with the 2005 Design Basis Threat.

(2) For each such site that has not achieved compliance with the 2005 Design Basis Threat—

(A) a description of the reasons for the failure to achieve compliance;

(B) a plan to achieve compliance;

(C) a description of the actions that will be taken to mitigate any security shortfalls until compliance is achieved; and

(D) an estimate of the annual funding requirements to achieve compliance.

(3) A list of such sites with Category I nuclear materials that the Secretary determines will not achieve compliance with the 2005 Design Basis Threat.

(4) For each site identified under paragraph (3), a plan to remove all Category I nuclear materials from such site, including—

(A) a schedule for the removal of such nuclear materials from such site;

(B) a clear description of the actions that will be taken to ensure the security of such nuclear materials; and

(C) an estimate of the annual funding requirements to remove such nuclear materials from such site.

(5) An assessment of the adequacy of the 2005 Design Basis Threat in addressing security threats at Department of Energy sites, and a description of any plans for updating, modifying, or otherwise revising the approach taken by the 2005 Design Basis Threat to establish enhanced security requirements for Department of Energy sites.

SEC. 3113. MODIFICATION OF SUBMITTAL OF REPORTS ON INADVERTENT RELEASES OF RESTRICTED DATA.

(a) IN GENERAL.—Section 4522 of the Atomic Energy Defense Act (50 U.S.C. 2672) is amended—

(1) in subsection (e), by striking “on a periodic basis” and inserting “in each even-numbered year”; and

(2) in subsection (f), by striking paragraph (2) and inserting the following new paragraph (2):

“(2) The Secretary of Energy shall, in each even-numbered year beginning in 2010, submit to the committees and Assistant to the President specified in subsection (d) a report identifying any inadvertent releases of Restricted Data or Formerly Restricted Data under Executive Order No. 12958 discovered