SEC. ___. CONFORMING AND UPDATING AMENDMENTS TO TITLE 10, UNITED STATES CODE.

(a) MODERNIZATION OF SECTION 172.—

(1) Section 172 of title 10, United States Code, is amended—

(A) by striking the section heading and inserting the following: **"§ 172. Explosives safety and military munitions risk management**";

(B) by striking "(a)" before "The Secretaries"; and

(C) by striking subsection (b).

(2) The item relating to such section in the table of sections at the beginning of chapter 7 of such title is amended to read as follows:

"172. Explosives safety and military munitions risk management.".

(b) CHANGE TO REFERENCES TO "APPROPRIATE COMMITTEES OF CONGRESS".—

(1) Section 2694a of such title is amended—

(A) in subsection (e), by striking "appropriate committees of Congress" and inserting "congressional defense committees"; and

(B) in subsection (i)—

(i) by striking paragraph (1); and

(ii) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

(2) Section 2801(c)(1) of such title is amended by striking "term 'appropriate committees of Congress' means the congressional defense committees and" and inserting "term 'congressional defense committees' includes".

(3) The following sections of chapter 169 of such title are amended by striking

"appropriate committees of Congress" each place it appears and inserting "congressional defense committees": sections 2803(b), 2804(b), 2805(b)(2), 2806(c)(2)(A), 2807(b), 2807(c), 2808(b), 2809(f)(1), 2811(d), 2812(c)(1)(A), 2813(c), 2814(a)(2)(A), 2814(g)(1), 2825(b)(1), 2827(b)(1), 2828(f)(1), 2835(g)(1), 2836(f)(1), 2837(c)(2), 2853(c)(1)(A), 2853(c)(2), 2854(b), 2854a(c)(1), 2859(d)(1)(B), 2861(c), 2866(c)(2), 2875(e), 2881a(d)(2), 2881a(e)(1), 2883(f), and 2884(a)(1).

(4) Section 2914(b) of such title is amended by striking "appropriate committees of Congress" and inserting "congressional defense committees".

(c) DEFINITIONS UNDER DEFENSE ENVIRONMENTAL RESTORATION PROGRAM.—Chapter 160 of such title is amended as follows:

(1) Section 2700(2) is amended by inserting "'pollutant or contaminant'," after " 'person'," .

(2) Section 2701(b)(1) is amended by striking "substances, pollutants, and" and inserting "substances and pollutants or".

(d) REDUCED REPORTING TIME LIMITS FOR REPORTS SUBMITTED IN ELECTRONIC MEDIA.—

(1) Section 2694a(e) of such title, as amended by subsection (b)(1)(A), is amended by inserting before the period at the end the following: "or, if earlier, a period of 14 days has elapsed from the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title".

(2) Section 2806(c)(2)(B) of such title is amended by inserting before the period at the end the following: "or, if earlier, a period of 14 days has elapsed from the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of this title".

(3) Section 2814(g)(2) of such title is amended by inserting before the period at the end the following: “or, if earlier, a period of 15 days has elapsed from the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title”.

(4) Section 2828(f)(2) of such title is amended by inserting before the period at the end the following: “or, if earlier, a period of 14 days has elapsed from the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title”.

(5) Section 2835(g)(2) of such title is amended—

(A) by striking “calendar”; and

(B) by inserting before the period at the end the following: “or, if earlier, a period of 14 days has elapsed from the date on which a copy of the analysis is provided in an electronic medium pursuant to section 480 of this title”.

(6) Sections 2881a(e)(2) and 2884(a)(4) of such title are amended by inserting before the period at the end the following: “or, if earlier, a period of 15 days has elapsed from the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of this title”.

(e) TRANSFER OF SECTION 2184.—

(1) Section 2814 of such title, as amended by subsections (b)(3) and (d)(3), is transferred to chapter 631, inserted after section 7205, redesignated as section 7206, and amended by striking “this chapter” in paragraphs (2) and (3)(B) of subsection (i) and inserting “chapter 169 of this title”.

(2)(A) The table of sections at the beginning of chapter 169 of such title is amended

by striking the item relating to section 2814.

(B) The table of sections at the beginning of chapter 631 of such title is amended by inserting after the item relating to section 7205 the following new item:

"7206. Special authority for development of Ford Island, Hawaii.".

(3) Any reference in any other law to section 2814 of title 10, United States Code, shall be considered to be a reference to section 7206 of title 10, United States Code, as transferred and redesignated by paragraph (1).

Section-by-Section Analysis

This proposal would ensure conforming usage of certain terms and provisions within title 10, United States Code.

Summary:

Subsection (a) would update the heading of 10 U.S.C. 172 and delete obsolete language.

Subsection (b) would change various references in title 10 from "appropriate committees of Congress" to "congressional defense committees".

Subsection (c) would change a reference in the Defense Environmental Restoration Program (DERP), chapter 160 of title 10, to conform it to the defined term used in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA).

Subsections (d) would add to various sections the same reduced reporting time limit for electronic media as applies elsewhere in title 10.

Subsection (e) would transfer section 2814 of title10 to subtitle C of title 10, relating to the Department of the Navy, and make conforming amendments.

Discussion:

Subsection (a): Section 172 relates to the DoD Explosives Safety Board. Over time, the purposes and functions of the board and its support structure have expanded and now also cover the broader area of military munitions risk management. This proposal would update the heading of the section to reflect these changes. In addition, subsection (b) relates to actions resulting from a report of the Seventieth Congress. Those matters have long since been dealt with and the language of subsection (b) is now obsolete and surplus usage.

Subsection (b): Several years ago, numerous changes were made throughout title 10 to

apply the term "congressional defense committees" in place of several variations. That term was then defined for the entire title in section 101. This change was not made, however, in chapter 169, dealing with military construction, where the previous reference to "appropriate committees of Congress", along with a separate definition of that term for that chapter, remained unchanged. To promote consistency of usage, it is appropriate to change the references in chapter 169, along with two other sections in chapters 159 and 173, to use the same term as used elsewhere in title 10. There is no substantive change, and the definition of "congressional defense committees" would continue to include, for chapter 169, the committees on intelligence for matters relating to their jurisdiction, as is currently the case.

Subsection (c): The DERP contains a number of terms that are cross-referenced in section 2700 to apply definitions provided in CERCLA. Apparently through an oversight, the CERCLA term "pollutant or contaminant" was used in section 2701 as "pollutants, and contaminants" and not included in the cross-reference in section 2700. It has been commonly understood that the reference to "pollutants, and contaminants" in section 2701 was actually a reference to the CERCLA term "pollutant or contaminant". This change would correct this reference so the reference in the DERP is clearly to the same term defined in CERCLA.

Subsection (d): In the National Defense Authorization Act for Fiscal Year 2004, the Congress provided that various notice and report requirements in chapter 169 of title 10, dealing with military construction, would be reduced if the notice or report were made pursuant to 10 U.S.C. 480. Various sections were not included in this change. This proposed amendment would align these other sections with the remainder of chapter 169 for purposes of notice and reporting time limits.

Subsection (e): Section 2814 of title 10 deals with a Navy specific matter, namely, the redevelopment of Ford Island, Hawaii. It has application only to that Navy facility. It should, as an organizational matter, be placed in the Navy's subtitle C. The amendment would transfer the section to subtitle C and make necessary conforming amendments.

Changes to Existing Law: This proposal would make changes to title 10, United States Code, as follows:

TITLE 10, UNITED STATES CODE

* * * * * * *

§ 172. ~~Ammunition storage board~~ Explosives safety and military munitions risk management

~~(a)~~ The Secretaries of the military departments, acting through a joint board selected by them composed of officers, civilian officers and employees of the Department of Defense, or both, shall keep informed on stored supplies of ammunition and components thereof for use of the Army, Navy, Air Force, and Marine Corps, with particular regard to keeping those supplies properly dispersed and stored and to preventing hazardous conditions from arising to endanger life and property inside or outside of storage reservations.

~~(b) The board shall confer with and advise the Secretaries of the military departments in carrying out the recommendations of House Document No. 199 of the Seventieth Congress.~~

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§ 2694a. Conveyance of surplus real property for natural resource conservation

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(e) Congressional notification. The Secretary concerned may not approve of the reconveyance of real property under subsection (c) or grant the release of a covenant under subsection (d) until the Secretary notifies the ~~appropriate committees of Congress~~ congressional defense committees of the proposed reconveyance or release and a period of 21 days elapses from the date the notification is received by the committees or, if earlier, a period of 14 days has elapsed from the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title.

* * * * * * *

(i) Definitions. In this section:

~~(1) The term "appropriate committees of Congress" has the meaning given such term in section 2801 of this title.~~

(~~2~~1) The term "Secretary concerned" means the Secretary of a military department.

(~~3~~2) The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Marianas, Guam, the Virgin Islands, and American Samoa.

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§ 2700. Definitions

In this chapter:

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(2) The terms "environment", "facility", "hazardous substance", "person", "pollutant or contaminant", "release", "removal", "response", "disposal", and "hazardous waste" have the meanings given those terms in section 101 of CERCLA (42 U.S.C. 9601).

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§ 2701. Environmental restoration program

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(b) Program goals. Goals of the program shall include the following:

(1) The identification, investigation, research and development, and cleanup of contamination from hazardous ~~substances, pollutants, and~~ substances and pollutants or contaminants.

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§ 2801. Scope of chapter; definitions

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(c) In this chapter and chapter 173 of this title:

(1) The term ~~"appropriate committees of Congress" means the congressional defense committees and~~ "congressional defense committees" includes, with respect to any project to be carried out by, or for the use of, an intelligence component of the Department of Defense, the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

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§ 2803. Emergency construction

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(b) When a decision is made to carry out a military construction project under this section, the Secretary concerned shall submit a report in writing to the ~~appropriate committees of Congress~~ congressional defense committees on that decision.

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§ 2804. Contingency construction

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(b) When a decision is made to carry out a military construction project under this section, the Secretary of Defense shall submit a report in writing to the ~~appropriate committees of Congress~~ congressional defense committees on that decision.

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§ 2805. Unspecified minor construction

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(b) Approval and congressional notification.

(2) When a decision is made to carry out an unspecified minor military construction project to which paragraph (1) is applicable, the Secretary concerned shall notify in writing the ~~appropriate committees of Congress~~ congressional defense committees of that decision, of the justification for the project, and of the estimated cost of the project.

* * * * * * *

§ 2806. Contributions for North Atlantic Treaty Organizations Security Investment

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(c)(2) If the Secretary determines that the amount appropriated for contribution under subsection (a) in any fiscal year must be exceeded by more than the amount authorized under paragraph (1), the Secretary may make contributions in excess of such amount, but not in excess of 125 percent of the amount appropriated (A) after submitting a report in writing to the ~~appropriate committees of Congress~~ congressional defense committees on such increase, including a statement of the reasons for the increase and a statement of the source of the funds to be used for the increase, and (B) after a period of 21 days has elapsed from the date of receipt of the report or, if earlier, a period of 14 days has elapsed from the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of this title.

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§ 2807. Architectural and engineering services and construction design

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(b) In the case of architectural and engineering services and construction design to be undertaken under subsection (a) for which the estimated cost exceeds $ 1,000,000, the Secretary concerned shall notify the ~~appropriate committees of Congress~~ congressional defense committees of the scope of the proposed project and the estimated cost of such services before the initial obligation of funds for such services. The Secretary may then obligate funds for such services only after the end of the 21-day period beginning on the date on which the notification is received by the committees or, if earlier, the end of the 14-day period beginning on the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of this title.

(c) If the Secretary concerned determines that the amount authorized for activities under subsection (a) in any fiscal year must be increased the Secretary may proceed with activities at such higher level (1) after submitting a report in writing to the ~~appropriate committees of Congress~~ congressional defense committees on such increase, including a statement of the reasons for the increase and a statement of the source of funds to be used for the increase, and (2) after a period of 21 days has elapsed from the date of receipt of the report or, if over sooner, a period of 14 days has elapsed from the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of this title.

§ 2808. Construction authority in the event of a declaration of war or national emergency

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(b) When a decision is made to undertake military construction projects authorized by this section, the Secretary of Defense shall notify the ~~appropriate committees of Congress~~ congressional defense committees of the decision and of the estimated cost of the construction projects, including the cost of any real estate action pertaining to those construction projects.

§ 2809. Long-term facilities contracts for certain activities and services

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(f) Notice and wait requirements. A contract may not be entered into under this section until—

(1) the Secretary concerned submits to the ~~appropriate committees of Congress~~ congressional defense committees, in writing, a justification of the need for the facility for which the contract is to be awarded and an economic analysis (based upon accepted life cycle costing procedures) which demonstrates that the proposed contract is cost effective when compared with alternative means of furnishing the same facility; and

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§ 2811. Repair of facilities

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(d) Congressional notification. When a decision is made to carry out a repair project under this section with an estimated cost in excess of $ 7,500,000, the Secretary concerned shall submit to the ~~appropriate committees of Congress~~ congressional defense committees a report containing—

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§ 2812. Lease-purchase of facilities

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(c)(1) The Secretary concerned may not enter into a lease under this section until—

(A) the Secretary submits to the ~~appropriate committees of Congress~~ congressional defense committees a justification of the need for the facility for which the proposed lease is being entered into and an economic analysis (based upon accepted life-cycle costing procedures) that demonstrates the cost effectiveness of the proposed lease compared with a military construction project for the same facility; and

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§ 2813. Acquisition of existing facilities in lieu of authorized construction

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(c) Notice and wait requirements. A contract may not be entered into for the acquisition of a facility under subsection (a) until the Secretary concerned transmits to the ~~appropriate committees of Congress~~ congressional defense committees a written notification of the determination to acquire an existing facility instead of carrying out the authorized military construction project.

§ ~~2814~~ 7206. Special authority for development of Ford Island, Hawaii

[*Note: This section would be transferred to ch. 631 and redesignated as section 7206.*]

(a) In general.

(1) Subject to paragraph (2), the Secretary of the Navy may exercise any authority or combination of authorities in this section for the purpose of developing or facilitating the development of Ford Island, Hawaii, to the extent that the Secretary determines the development is compatible with the mission of the Navy.

(2) The Secretary of the Navy may not exercise any authority under this section until—

(A) the Secretary submits to the ~~appropriate committees of Congress~~ congressional defense committees a master plan for the development of Ford Island, Hawaii; and

(B) a period of 30 calendar days has elapsed following the date on which the notification is received by those committees.

(b) Conveyance authority.

(1) The Secretary of the Navy may convey to any public or private person or entity all right, title, and interest of the United States in and to any real property (including any improvements thereon) or personal property under the jurisdiction of the Secretary in the State of Hawaii that the Secretary determines—

(A) is excess to the needs of the Navy and all of the other armed forces; and

(B) will promote the purpose of this section.

(2) A conveyance under this subsection may include such terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(c) Lease authority.

(1) The Secretary of the Navy may lease to any public or private person or entity any real property or personal property under the jurisdiction of the Secretary in the State of Hawaii that the Secretary determines—

(A) is not needed for current operations of the Navy and all of the other armed forces; and

(B) will promote the purpose of this section.

(2) A lease under this subsection shall be subject to section 2667(b)(1) of this title and may include such other terms as the Secretary considers appropriate to protect the interests of the United States.

(3) A lease of real property under this subsection may provide that, upon termination of the lease term, the lessee shall have the right of first refusal to acquire the real property covered by the lease if the property is then conveyed under subsection (b).

(4)(A) The Secretary may provide property support services to or for real property leased under this subsection.

(B) To the extent provided in appropriations Acts, any payment made to the Secretary for services provided under this paragraph shall be credited to the appropriation, account, or fund from which the cost of providing the services was paid.

(d) Acquisition of leasehold interest by Secretary.

(1) The Secretary of the Navy may acquire a leasehold interest in any facility constructed under subsection (f) as consideration for a transaction authorized by this section upon such terms as the Secretary considers appropriate to promote the purpose of this section.

(2) The term of a lease under paragraph (1) may not exceed 10 years, unless the Secretary of Defense approves a term in excess of 10 years for purposes of this section.

(3) A lease under this subsection may provide that, upon termination of the lease term, the United States shall have the right of first refusal to acquire the facility covered by the lease.

(e) Requirement for competition. The Secretary of the Navy shall use competitive procedures for purposes of selecting the recipient of real or personal property under subsection (b) and the lessee of real or personal property under subsection (c).

(f) Consideration.

(1) As consideration for the conveyance of real or personal property under subsection (b), or for the lease of real or personal property under subsection (c), the Secretary of the Navy shall accept cash, real property, personal property, or services, or any combination thereof, in an aggregate amount equal to not less than the fair market value of the real or personal property conveyed or leased.

(2) Subject to subsection (i), the services accepted by the Secretary under paragraph (1) may include the following:

(A) The construction or improvement of facilities at Ford Island.

(B) The restoration or rehabilitation of real property at Ford Island.

(C) The provision of property support services for property or facilities at Ford Island.

(g) Notice and wait requirements. The Secretary of the Navy may not carry out a transaction authorized by this section until—

(1) the Secretary submits to the ~~appropriate committees of Congress~~ congressional defense committees a notification of the transaction, including—

(A) a detailed description of the transaction; and

(B) a justification for the transaction specifying the manner in which the transaction will meet the purposes of this section; and

(2) a period of 30 calendar days has elapsed following the date on which the notification is received by those committees or, if earlier, a period of 15 days has elapsed from the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title.

(h) Ford Island Improvement Account.

(1) There is established on the books of the Treasury an account to be known as the “Ford Island Improvement Account”.

(2) There shall be deposited into the account the following amounts:

(A) Amounts authorized and appropriated to the account.

(B) Except as provided in subsection (c)(4)(B), the amount of any cash payment received by the Secretary for a transaction under this section.

(i) Use of account.

(1) Subject to paragraph (2), to the extent provided in advance in appropriations Acts, funds in the Ford Island Improvement Account may be used as follows:

(A) To carry out or facilitate the carrying out of a transaction authorized by this section.

(B) To carry out improvements of property or facilities at Ford Island.

(C) To obtain property support services for property or facilities at Ford Island.

(2) To extent that the authorities provided under subchapter IV of ~~this chapter~~ chapter 169 of this title are available to the Secretary of the Navy, the Secretary may not use the authorities in this section to acquire, construct, or improve family housing units, military unaccompanied housing units, or ancillary supporting facilities related to military housing.

(3)(A) The Secretary may transfer funds from the Ford Island Improvement Account to the following funds:

(i) The Department of Defense Family Housing Improvement Fund established by section 2883(a)(1) of this title.

(ii) The Department of Defense Military Unaccompanied Housing Improvement Fund established by section 2883(a)(2) of this title.

(B) Amounts transferred under subparagraph (A) to a fund referred to in that subparagraph shall be available in accordance with the provisions of section 2883 of this title for activities authorized under subchapter IV of ~~this chapter~~ chapter 169 of this title at Ford Island.

(j) Inapplicability of certain property management laws. Except as otherwise provided in this section, transactions under this section shall not be subject to the following:

(1) Sections 2667 and 2696 of this title.

(2) Section 501 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411).

(3) Subchapter II of chapter 5 and sections 541-555 of title 40.

(k) Scoring. Nothing in this section shall be construed to waive the applicability to any lease entered into under this section of the budget scorekeeping guidelines used to measure compliance with the Balanced Budget and Emergency Deficit Control Act of 1985.

(l) Property support service defined. In this section, the term “property support service” means the following:

(1) Any utility service or other service listed in section 2686(a) of this title.

(2) Any other service determined by the Secretary to be a service that supports the operation and maintenance of real property, personal property, or facilities.

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§ 2825. Improvements to family housing units

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(b)(1)

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If the Secretary concerned makes a determination under the preceding sentence with respect to an improvement, the waiver under that sentence with respect to that improvement may take effect

only after the Secretary transmits a notice of the proposed waiver, together with an economic analysis demonstrating that the improvement will be cost effective, to the ~~appropriate committees of Congress~~ congressional defense committees and a period of 21 days has elapsed after the date on which the notification is received by those committees or, if over sooner, a period of 14 days has elapsed after the date on which a copy of the notice is provided in an electronic medium pursuant to section 480 of this title.

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§ 2827. Relocation of military family housing units

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(b) A contract to carry out a relocation of military family housing units under subsection (a) may not be awarded until (1) the Secretary concerned has notified the ~~appropriate committees of Congress~~ congressional defense committees of the proposed new locations of the housing units to be relocated and the estimated cost of and source of funds for the relocation, and (2) a period of 21 days has elapsed after the notification has been received by those committees or, if over sooner, a period of 14 days has elapsed after the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title.

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§ 2828. Leasing of military family housing

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(f) A lease for family housing facilities, or for real property related to family housing facilities, in a foreign country for which the average estimated annual rental during the term of the lease exceeds $ 1,000,000 may not be made under this section until (1) the Secretary concerned provides to the ~~appropriate committees of Congress~~ congressional defense committees written notification of the facts concerning the proposed lease, and (2) a period of 21 days elapses after the notification is received by those committees or, if earlier, a period of 14 days has elapsed from the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title.

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§ 2835. Long-term leasing of military family housing to be constructed

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(g) Notice and wait requirements. A contract may not be entered into for the lease of housing facilities under this section until—

(1) the Secretary of Defense, or the Secretary of Homeland Security with respect to the Coast Guard, submits to the ~~appropriate committees of Congress~~ congressional defense

committees, in writing, an economic analysis (based upon accepted life cycle costing procedures) which demonstrates that the proposed contract is cost-effective when compared with alternative means of furnishing the same housing facilities; and

(2) a period of 21 ~~calendar~~ days has expired following the date on which the economic analysis is received by those committees or, if earlier, a period of 14 days has elapsed from the date on which a copy of the analysis is provided in an electronic medium pursuant to section 480 of this title.

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§ 2836. Military housing rental guarantee program

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(f) Notice and wait requirements. An agreement may not be entered into under subsection (a) until—

(1) the Secretary of Defense, or the Secretary of Homeland Security with respect to the Coast Guard, submits to ~~appropriate committees of Congress~~ congressional defense committees, in writing, an economic analysis (based upon accepted life cycle costing procedures) which demonstrates that the proposed agreement is cost effective when compared with alternative means of furnishing the same housing facilities; and

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§ 2837. Limited partnerships with private developers of housing

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(c) Selection of investment opportunities.

(1) The Secretary concerned shall use publicly advertised, competitively bid or competitively negotiated, contracting procedures, as provided in chapter 137 of this title, to enter into limited partnerships under subsection (a).

(2) When a decision is made to enter into a limited partnership under subsection (a), the Secretary concerned shall submit a report in writing to the ~~appropriate committees of Congress~~ congressional defense committees on that decision.

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§ 2853. Authorized cost and scope of work variations

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(c) The limitation on cost variations in subsection (a) or the limitation on scope reduction in subsection (b) does not apply if the variation in cost or reduction in the scope of work is approved by the Secretary concerned and—

(1) in the case of a cost increase or a reduction in the scope of work—

(A) the Secretary concerned notifies the ~~appropriate committees of Congress~~ congressional defense committees in writing of the cost increase or reduction in scope and the reasons therefor, including a description of the funds proposed to be used to finance any increased costs; and

(B) a period of 21 days has elapsed after the date on which the notification is received by the committees or, if over sooner, a period of 14 days has elapsed after the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title; or

(2) in the case of a cost decrease, the Secretary concerned notifies the ~~appropriate committees of Congress~~ congressional defense committees in writing not later than 14 days after the date funds are obligated in connection with the military construction project or military family housing project.

§ 2854. Restoration or replacement of damaged or destroyed facilities

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(b) When a decision is made to carry out construction under this section and the cost of the repair, restoration, or replacement is greater than the maximum amount for a minor construction project, the Secretary concerned shall notify in writing the ~~appropriate committees of Congress~~ congressional defense committees of that decision, of the justification for the project, of the current estimate of the cost of the project, of the source of funds for the project, and of the justification for carrying out the project under this section.

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§ 2854a. Conveyance of damaged or deteriorated military family housing; use of proceeds

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(c) Notice and wait requirements. The Secretary concerned may not enter into an agreement to convey a family housing facility under this section until—

(1) the Secretary submits to the ~~appropriate committees of Congress~~ congressional defense committees, in writing, a justification for the conveyance under the agreement, including—

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§ 2859. Construction requirements related to antiterrorism and force protection or urban-training operations

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(d) Certification required for military construction projects designed to provide training in urban operations.

(1) Except as provided in paragraph (3), the Secretary concerned may not carry out a military construction project to construct a facility designed to provide training in urban operations for members of the armed forces or personnel of the Department of Defense or other Federal agencies until—

(A) the Secretary of Defense approves a strategy for training and facility construction for operations in urban terrain; and

(B) the Under Secretary of Defense for Personnel and Readiness evaluates the project and certifies to the ~~appropriate committees of Congress~~ congressional defense committees that the project—

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§ 2861. Military construction projects in connection with industrial facility investment program

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(c) Notice and wait requirement. When a decision is made to carry out a project under subsection (a), the Secretary of Defense shall notify in writing the ~~appropriate committees of Congress~~ congressional defense committees of that decision and the savings estimated to be realized from the project.

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§ 2866. Water conservation at military installations

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(c) Water conservation construction projects.

(1) The Secretary of Defense may carry out a military construction project for water conservation, not previously authorized, using funds appropriated or otherwise made available to the Secretary for water conservation.

(2) When a decision is made to carry out a project under paragraph (1), the Secretary of Defense shall notify the ~~appropriate committees of Congress~~ congressional defense committees of that decision.

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§ 2875. Investments

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(e) Congressional notification required. Amounts in the Department of Defense Family Housing Improvement Fund or the Department of Defense Military Unaccompanied Housing Improvement Fund may be used to make a cash investment under this section in an eligible entity only after the end of the 30-day period beginning on the date the Secretary of Defense submits written notice of, and justification for, the investment to the ~~appropriate committees of Congress~~ congressional defense committees or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notice and justification is provided in an electronic medium pursuant to section 480 of this title.

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§ 2881a. Pilot projects for acquisition or construction of military unaccompanied housing

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(d) Funding.

(1) The Secretary of the Navy shall use the Department of Defense Military Unaccompanied Housing Improvement Fund to carry out activities under the pilot projects.

(2) Subject to 30 days prior notification to the ~~appropriate committees of Congress~~ congressional defense committees, such additional amounts as the Secretary of Defense considers necessary may be transferred to the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in military construction accounts. The amounts so transferred shall be merged with and be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund.

(e) Reports.

(1) The Secretary of the Navy shall transmit to the ~~appropriate committees of Congress~~ congressional defense committees a report describing—

(A) each contract for the acquisition of military unaccompanied housing that the Secretary proposes to solicit under the pilot projects;

(B) each conveyance or lease proposed under section 2878 of this title in furtherance of the pilot projects; and

(C) the proposed partial basic allowance for housing rates for each contract as they vary by grade of the member and how they compare to basic allowance for housing rates for other contracts written under the authority of the pilot programs.

(2) The report shall describe the proposed contract, conveyance, or lease and the intended method of participation of the United States in the contract, conveyance, or lease and provide a justification of such method of participation. The report shall be submitted not later than 30 days before the date on which the Secretary issues the contract solicitation or offers the conveyance or lease or, if earlier, a period of 15 days has elapsed from the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of this title.

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§ 2883. Department of Defense Housing Funds

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(f) Notification required for transfers. A transfer of appropriated amounts to a Fund under subparagraph (B) or (G) of paragraph (1) or subparagraph (B) or (G) of paragraph (2) of subsection (c) may be made only after the end of the 30-day period beginning on the date the Secretary of Defense submits written notice of, and justification for, the transfer to the ~~appropriate committees of Congress~~ congressional defense committees or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notice and justification is provided in an electronic medium pursuant to section 480 of this title.

§ 2884. Reports

(a) Project reports.

(1) The Secretary of Defense shall transmit to the ~~appropriate committees of Congress~~ congressional defense committees a report describing~~—~~

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(4) The report shall be submitted not later than 30 days before the date on which the Secretary issues the contract solicitation or offers the conveyance or lease or, if earlier, a period of 15 days has elapsed from the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of this title.

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§ 2914. Energy conservation construction projects

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(b) Congressional notification. When a decision is made to carry out a project under this section, the Secretary of Defense shall notify in writing the ~~appropriate committees of Congress~~ congressional defense committees of that decision.

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