

1 **SEC. \_\_. ENHANCED PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM**  
2 **UNMANNED AIRCRAFT THREATS.**

3 Section 130i of title 10, United States Code, is amended—

4 (1) in subsection (a)—

5 (A) by striking “members of the armed forces and officers and civilian  
6 employees of the Department of Defense” and inserting “covered personnel”; and

7 (B) by inserting “or a temporarily covered facility or asset for the duration  
8 of the period in which the temporarily covered facility is at high risk or a potential  
9 target” after “a covered facility or asset”;

10 (2) by redesignating subsections (i) and (j) as subsections (j) and (k), respectively;

11 (3) by inserting after subsection (h) the following new subsection:

12 “(i) **LIMITATION ON ACTIVITIES BY CONTRACTOR PERSONNEL AND OVERSIGHT.**—In  
13 carrying out this section, the Secretary shall ensure that—

14 “(1) contractor personnel are not directed or permitted to perform any action that  
15 is an inherently governmental function as that term is defined in the Federal Activities  
16 Inventory Reform Act of 1998 (31 U.S.C. 501 note; Public Law 105–270); and

17 “(2) the Department conducts appropriate oversight of contract personnel.”;

18 (4) in subsection (j), as redesignated by paragraph (2) of this section—

19 (A) in paragraph (1), by striking “December 31, 2023” and inserting  
20 “December 31, 2025”; and

21 (B) in paragraph (2)—

22 (i) by striking “180 days” and inserting “one year”; and

1 (ii) by striking “November 15, 2023” and inserting “November 15,  
2 2025”; and  
3 (5) in subsection (k) (as so redesignated)—  
4 (A) in subparagraph (C) of paragraph (3)—  
5 (i) in clause (viii), by striking “; or” and inserting a semicolon;  
6 (ii) in clause (ix), by striking the period and inserting “; or”; and  
7 (iii) by adding at the end the following new clause:  
8 “(x) a military airport or airfield that is not intended to be  
9 temporary.”;  
10 (B) by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6),  
11 and (8), respectively;  
12 (C) by inserting after paragraph (3) the following new paragraph:  
13 “(4) The term ‘covered personnel’ means—  
14 “(A) members of the armed forces;  
15 “(B) civilian employees of the Department of Defense; and  
16 “(C) personnel of entities under contract to the Department of Defense  
17 with assigned duties that include safety, security, or protection of a Government-  
18 owned, contractor-operated facility and who are trained and certified to perform  
19 such duties, including training specific to countering unmanned aircraft threats  
20 and mitigating risks in the national airspace.”; and  
21 (D) by inserting after paragraph (6), as redesignated by subparagraph (B)  
22 of this paragraph, the following new paragraph:

1                   “(7) The term ‘temporarily covered facility or asset’ means a facility or asset  
2                   located in the United States and identified by the Secretary of Defense, in consultation  
3                   with the Secretary of Transportation with respect to potentially impacted airspace,  
4                   through a risk-based assessment for the purposes of this section, to be temporarily at high  
5                   risk or a potential target for unlawful unmanned aircraft activity.”.

**[Please note: the “changes to existing law” section below sets out in red-line format how the legislative text above would amend existing law.]**

### **Section-by-Section Analysis**

Errantly or maliciously operated unmanned aircraft increase risks to the Department’s installations, activities, and personnel. This proposal would make several amendments to section 130i of title 10, U.S. Code, to clarify and strengthen this authority to mitigate the threat that an unmanned aircraft system or unmanned aircraft poses to the safety or security of a covered Department of Defense (DoD) facility or asset.

This proposal would permit the Secretary of Defense to authorize contractor personnel performing functions under contract with the Department of Defense that include safety, security, or protection of a Government-owned, contractor-operated facility, and who are trained and certified to perform such duties, to take the actions described in (b)(1). The Departments of the Army, Navy, and Air Force are responsible for Government-owned, contractor-operated facilities that produce munitions and other sensitive items. In the absence of this change, the Departments of the Army, Navy, and Air Force would have to either assign members of the armed forces and officers and civilian employees of the Department of Defense at such facilities or accept that these facilities will remain vulnerable.

This proposal would amend subsection (a) by authorizing the Secretary of Defense to take such actions described in subsection (b)(1), as developed in coordination with the Secretary of Transportation, that are necessary to mitigate the threat (as defined by the Secretary of Defense, in consultation with the Secretary of Transportation) that an unmanned aircraft system or unmanned aircraft poses to the safety or security of a temporarily covered facility or asset. A DoD facility or asset that is not directly associated with a covered mission can temporarily be at high risk of loss due to a specific, highly significant vulnerability (e.g., a port of embarkation for military personnel deploying by ship to conduct combat operations in an overseas conflict) or specific intelligence or law enforcement information that such a facility or asset is a target for hostile action. As with any other covered facility or asset, a temporarily covered facility or asset would also be subject to the statutorily required coordination between the Secretary of Defense and the Secretary of Transportation concerning actions, as required by subsection (b)(2). The authority to mitigate the threat posed to a temporarily covered facility or asset would enable the Secretary of Defense to adapt to emerging vulnerabilities and threats in a timely manner, but only for the duration of the emerging high risk. In the absence of such an authority, the

Department’s personnel would have to resort to alternative, potentially less effective mitigating actions (e.g., request that the Federal Aviation Administration establish temporary flight restrictions, which could highlight the facility or asset as a high interest target to an adversary), if available, or to take necessary actions, even though they may be exposed to legal jeopardy.

This proposal would amend the partial termination subsection (i.e., subsection (j), as redesignated) to extend the date of termination from December 31, 2023, to December 31, 2025. This extension would facilitate planning, programming, and budgeting across the Future Years Defense Program to develop, test, and field capabilities and operations necessary to protect the Department’s facilities and assets in the United States. This extension would also enable the Department to rely more on capabilities designed for use in the United States rather than capabilities designed for use in military operations abroad. In addition, this proposal would modify the presidential extension from 180 days to one year. As a practical matter, the current 180-day extension would merely extend the protection of the covered facilities or assets specified in clauses (iv) through (viii) of subsection (k)(3), as redesignated, to May of the following year. This likely would result in a gap in protection from May until such time as a subsequent national defense authorization act enacted into law. Based on the date of enactment of the last 20 national defense authorization acts, this gap in authority would extend from October to January of the next year.

This proposal would amend subsection (k)(3)(C) by updating the definition of a covered facility or asset to include a facility or asset by adding clause (x), a military airport or airfield that is not intended to be temporary. Errantly or maliciously operated UAS in the United States create a flight hazard to military aircraft operations and training. Including permanent military airports and airfields would extend the authority provided by section 130i to encompass permanent military airports and airfields not associated with the missions specified by this section.

**Budget Implications:** The resources required are reflected in the table below and are included within the Fiscal Year (FY) 2022 President’s Budget.

RESOURCE IMPACT (\$MILLIONS)									
Program	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	Appropriation	Budget Activity	BLI/SAG	Program Element (for all RDT&E programs)
Air Force	45.5	44.6	26.0	25.9		Air Force Procurement, RDT&E	03 04	834130 0207522F	0207522F
Army	9.2	9.2	9.2	9.2		Army O&M	01	1SAG 122	0305208A
Navy	35	34.8	40.4	63.2		Navy O&M , Procurement, RDTE	01 01 04 04	1C6C 4B2N 5509 8128	0604636N 0208539N

							07		
USMC	35.2	43.5	36.9	25.6		USMC O&M, Procurement, RDT&E	01 03 07	1A2A 3006 0605520M	0206626M 0206211M 0605520M
Total	124. 9	133. 5	112. 9	123. 9					

**Changes to Existing Law:** This proposal would amend section 130i of title 10, United States Code, as follows:

**§ 130i. Protection of certain facilities and assets from unmanned aircraft**

(a) **AUTHORITY.**—Notwithstanding section 46502 of title 49, or any provision of title 18, the Secretary of Defense may take, and may authorize ~~members of the armed forces and officers, and civilian employees of the Department of Defense~~ covered personnel with assigned duties that include safety, security, or protection of personnel, facilities, or assets, to take, such actions described in subsection (b)(1) that are necessary to mitigate the threat (as defined by the Secretary of Defense, in consultation with the Secretary of Transportation) that an unmanned aircraft system or unmanned aircraft poses to the safety or security of a covered facility or asset or a temporarily covered facility or asset for the duration of the period in which the temporarily covered facility is at high risk or a potential target.

(b) **ACTIONS DESCRIBED.**—(1) The actions described in this paragraph are the following:

(A) Detect, identify, monitor, and track the unmanned aircraft system or unmanned aircraft, without prior consent, including by means of intercept or other access of a wire communication, an oral communication, or an electronic communication used to control the unmanned aircraft system or unmanned aircraft.

(B) Warn the operator of the unmanned aircraft system or unmanned aircraft, including by passive or active, and direct or indirect physical, electronic, radio, and electromagnetic means.

(C) Disrupt control of the unmanned aircraft system or unmanned aircraft, without prior consent, including by disabling the unmanned aircraft system or unmanned aircraft by intercepting, interfering, or causing interference with wire, oral, electronic, or radio communications used to control the unmanned aircraft system or unmanned aircraft.

(D) Seize or exercise control of the unmanned aircraft system or unmanned aircraft.

(E) Seize or otherwise confiscate the unmanned aircraft system or unmanned aircraft.

(F) Use reasonable force to disable, damage, or destroy the unmanned aircraft system or unmanned aircraft.

(2) The Secretary of Defense shall develop the actions described in paragraph (1) in coordination with the Secretary of Transportation.

(c) **FORFEITURE.**—Any unmanned aircraft system or unmanned aircraft described in subsection (a) that is seized by the Secretary of Defense is subject to forfeiture to the United States.

(d) REGULATIONS AND GUIDANCE.—(1) The Secretary of Defense and the Secretary of Transportation may prescribe regulations and shall issue guidance in the respective areas of each Secretary to carry out this section.

(2)(A) The Secretary of Defense and the Secretary of Transportation shall coordinate in the development of guidance under paragraph (1).

(B) The Secretary of Defense shall coordinate with the Secretary of Transportation and the Administrator of the Federal Aviation Administration before issuing any guidance or otherwise implementing this section if such guidance or implementation might affect aviation safety, civilian aviation and aerospace operations, aircraft airworthiness, or the use of airspace.

(e) PRIVACY PROTECTION.—The regulations prescribed or guidance issued under subsection (d) shall ensure that—

(1) the interception or acquisition of, or access to, an unmanned aircraft system or communications to or from an unmanned aircraft system under this section is conducted in a manner consistent with the fourth amendment to the Constitution and applicable provisions of Federal law;

(2) communications to or from an unmanned aircraft system are intercepted, acquired, or accessed only to the extent necessary to support a function of the Department of Defense;

(3) records of such communications are not maintained for more than 180 days unless the Secretary of Defense determines that maintenance of such records—

(A) is necessary to support one or more functions of the Department of Defense; or

(B) is required for a longer period to support a civilian law enforcement agency or by any other applicable law or regulation; and

(4) such communications are not disclosed outside the Department of Defense unless the disclosure—

(A) would fulfill a function of the Department of Defense;

(B) would support a civilian law enforcement agency or the enforcement activities of a regulatory agency of the Federal Government in connection with a criminal or civil investigation of, or any regulatory action with regard to, an action described in subsection (b)(1); or

(C) is otherwise required by law or regulation.

(f) BUDGET.—The Secretary of Defense shall submit to Congress, as a part of the defense budget materials for each fiscal year after fiscal year 2018, a consolidated funding display that identifies the funding source for the actions described in subsection (b)(1) within the Department of Defense. The funding display shall be in unclassified form, but may contain a classified annex.

(g) SEMIANNUAL BRIEFINGS.—(1) On a semiannual basis during the five-year period beginning March 1, 2018, the Secretary of Defense and the Secretary of Transportation, shall jointly provide a briefing to the appropriate congressional committees on the activities carried out pursuant to this section. Such briefings shall include—

(A) policies, programs, and procedures to mitigate or eliminate impacts of such activities to the National Airspace System;

(B) a description of instances where actions described in subsection (b)(1) have been taken;

(C) how the Secretaries have informed the public as to the possible use of authorities under this section; and

(D) how the Secretaries have engaged with Federal, State, and local law enforcement agencies to implement and use such authorities.

(2) Each briefing under paragraph (1) shall be in unclassified form, but may be accompanied by an additional classified briefing.

(h) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to—

(1) vest in the Secretary of Defense any authority of the Secretary of Transportation or the Administrator of the Federal Aviation Administration under title 49; and

(2) vest in the Secretary of Transportation or the Administrator of the Federal Aviation Administration any authority of the Secretary of Defense under this title.

(i) **LIMITATION ON ACTIVITIES BY CONTRACTOR PERSONNEL AND OVERSIGHT.**—In carrying out this section, the Secretary shall ensure that—

(1) contractor personnel are not directed or permitted to perform any action that is an inherently governmental function as that term is defined in the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note; Public Law 105–270); and

(2) the Department conducts appropriate oversight of contract personnel.

(j) **PARTIAL TERMINATION.**—(1) Except as provided by paragraph (2), the authority to carry out this section with respect to the covered facilities or assets specified in clauses (iv) through (viii) of subsection (j)(3)(C) shall terminate on ~~December 31, 2023~~ December 31, 2025.

(2) The President may extend by ~~180 days~~ one year the termination date specified in paragraph (1) if before ~~November 15, 2023~~ November 15, 2025, the President certifies to Congress that such extension is in the national security interests of the United States.

(k) **DEFINITIONS.**—In this section:

(1) The term “appropriate congressional committees” means—

(A) the congressional defense committees;

(B) the Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Commerce, Science, and Transportation of the Senate; and

(C) the Permanent Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Transportation and Infrastructure of the House of Representatives.

(2) The term “budget”, with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31.

(3) The term “covered facility or asset” means any facility or asset that—

(A) is identified by the Secretary of Defense, in consultation with the Secretary of Transportation with respect to potentially impacted airspace, through a risk-based assessment for purposes of this section;

(B) is located in the United States (including the territories and possessions of the United States); and

(C) directly relates to the missions of the Department of Defense pertaining to—

(i) nuclear deterrence, including with respect to nuclear command and control, integrated tactical warning and attack assessment, and continuity of government;

(ii) missile defense;

(iii) national security space;

(iv) assistance in protecting the President or the Vice President (or other officer immediately next in order of succession to the office of the President) pursuant to the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note);

(v) air defense of the United States, including air sovereignty, ground-based air defense, and the National Capital Region integrated air defense system;

(vi) combat support agencies (as defined in paragraphs (1) through (4) of section 193(f) of this title);

(vii) special operations activities specified in paragraphs (1) through (9) of section 167(k) of this title;

(viii) production, storage, transportation, or decommissioning of high-yield explosive munitions, by the Department; or

(ix) a Major Range and Test Facility Base (as defined in sections 4173(i) of this title); or

(x) a military airport or airfield that is not intended to be temporary.

(4) The term “covered personnel” means—

(A) members of the armed forces;

(B) civilian employees of the Department of Defense; and

(C) personnel of entities under contract to the Department of Defense with assigned duties that include safety, security, or protection of a Government-owned, contractor-operated facility and who are trained and certified to perform such duties, including training specific to countering unmanned aircraft threats and mitigating risks in the national airspace.

(45) The term “defense budget materials”, with respect to a fiscal year, means the materials submitted to Congress by the Secretary of Defense in support of the budget for that fiscal year.

(56) The terms “electronic communication”, “intercept”, “oral communication”, and “wire communication” have the meanings given those terms in section 2510 of title 18.

(7) The term “temporarily covered facility or asset” means a facility or asset located in the United States and identified by the Secretary of Defense, in consultation with the Secretary of Transportation with respect to potentially impacted airspace,

through a risk-based assessment for the purposes of this section, to be temporarily at high risk or a potential target for unlawful unmanned aircraft activity.

(68) The terms "unmanned aircraft" and "unmanned aircraft system" have the meanings given those terms in section 44801 of title 49.

## 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 MILITARY CONSTRUCTION

- Sec. 2101. Authorized Army construction and land acquisition projects.
- Sec. 2102. Family housing.
- Sec. 2103. Authorization of appropriations, Army.
- Sec. 2104. Extension of authorization of certain fiscal year 2017 project.
- Sec. 2105. Modification of authority to carry out certain fiscal year 2021 project.
- Sec. 2106. Additional authority to carry out certain fiscal year 2022 project.

### TITLE XXII—NAVY MILITARY CONSTRUCTION

- 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.

### TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

- 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 2017 projects.
- Sec. 2306. Extension of authorizations of certain fiscal year 2017 projects.
- Sec. 2307. Extension of authorization of certain fiscal year 2017 project.
- Sec. 2308. Modification of authority to carry out certain fiscal year 2018 project.
- Sec. 2309. Modification of authority to carry out certain fiscal year 2019 projects.
- Sec. 2310. Modification of authority to carry out certain fiscal year 2020 projects.

### TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

- Sec. 2401. Authorized defense agencies construction and land acquisition projects.
- Sec. 2402. Authorized energy resilience and conservation investment program projects.
- Sec. 2403. Authorization of appropriations, defense agencies.
- Sec. 2404. Extension of authorization of certain fiscal year 2017 project.

### TITLE XXV—INTERNATIONAL PROGRAMS

#### Subtitle A—North Atlantic Treaty Organization Security Investment Program

- Sec. 2501. Authorized NATO construction and land acquisition projects.
- Sec. 2502. Authorization of appropriations, NATO.

#### Subtitle B—Host Country In-kind Contributions

- Sec. 2511. Republic of Korea funded construction projects.
- Sec. 2512. Republic of Poland provided infrastructure projects.
- Sec. 2513. Authorization to accept contributions from the Republic of Korea in the form of an irrevocable letter of credit.

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, National Guard and Reserve.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

- Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense base closure account.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

TITLE XXX—MILITARY CONSTRUCTION FUNDING

- Sec. 3001. Authorization of amounts in funding tables.
- Sec. 3002. Military construction table.

1           **DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

2           **SEC. 2001. SHORT TITLE.**

3           This division may be cited as the “Military Construction Authorization Act for Fiscal  
4           Year 2022”.

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

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

12                   (1) October 1, 2024; or

13                   (2) the date of the enactment of an Act authorizing funds for military construction  
14          for fiscal year 2025.

(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, 2024; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2025 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 through XXVII and title XXIX shall take effect on the later of—

(1) October 1, 2021; or

(2) the date of the enactment of this Act.

**TITLE XXI—ARMY MILITARY CONSTRUCTION**

**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 2103(a) and available for military construction projects inside the United States as specified in the funding table in section 3002, 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:

<b>Army: Inside the United States</b>		
<b>State</b>	<b>Installation</b>	<b>Amount</b>
Alabama	Redstone Arsenal	\$55,000,000
California	Fort Irwin	\$52,000,000
Hawaii	West Loch Nav Mag Annex	\$51,000,000
Louisiana	Fort Polk	\$55,000,000

Maryland	Fort Meade	\$81,000,000
New York	Fort Hamilton	\$26,000,000
	Watervliet Arsenal	\$20,000,000
Pennsylvania	Letterkenny Army Depot	\$21,000,000
Texas	Fort Bliss	\$20,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the  
2 authorization of appropriations in section 2103(a) and available for military construction projects  
3 outside the United States as specified in the funding table in section 3002, the Secretary of the  
4 Army may acquire real property and carry out military construction projects for the installation  
5 or location outside the United States, and in the amounts, set forth in the following table:

**Army: Outside the United States**

Country	Installation or Location	Amount
Belgium	SHAPE Headquarters	\$16,000,000
Germany	East Camp Grafenwoehr	\$103,000,000
	Smith Barracks	\$33,500,000
Worldwide Classified	Classified Location	\$31,000,000

6 **SEC. 2102. FAMILY HOUSING.**

7 (a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the  
8 authorization of appropriations in section 2103(a) and available for military family housing  
9 functions as specified in the funding table in section 3002, the Secretary of the Army may  
10 construct or acquire family housing units (including land acquisition and supporting facilities) at  
11 the installations or locations, in the number of units, and in the amounts set forth in the following  
12 table:

**Army: Family Housing**

Country	Installation	Units	Amount
Italy	Vicenza	Family Housing New Construction	\$92,304,000

13 (b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization  
14 of appropriations in section 2103(a) and available for military family housing functions as

1 specified in the funding table in section 3002, the Secretary of the Army may carry out  
2 architectural and engineering services and construction design activities with respect to the  
3 construction or improvement of family housing units in an amount not to exceed \$7,545,000.

4 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be  
6 appropriated for fiscal years beginning after September 30, 2021, for military construction, land  
7 acquisition, and military family housing functions of the Department of the Army as specified in  
8 the funding table in section 3002.

9 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost  
10 variations authorized by section 2853 of title 10, United States Code, and any other cost variation  
11 authorized by law, the total cost of all projects carried out under section 2101 of this Act may not  
12 exceed the total amount authorized to be appropriated under subsection (a), as specified in the  
13 funding table in section 3002.

14 **SEC. 2104. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2017**  
15 **PROJECT.**

16 (a) EXTENSION.—Notwithstanding section 2002 of the National Defense Authorization  
17 Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2688), the authorization set forth in the  
18 table in subsection (b), as provided in section 2101 of that Act (130 Stat. 2689), shall remain in  
19 effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military  
20 construction for fiscal year 2024, whichever is later.

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

**Army: Extension of 2017 Project Authorization**

<b>Country</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Original Authorized Amount</b>
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Germany	Wiesbaden Army Airfield	Hazardous Material Storage Building	\$2,700,000
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1 **SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**  
2 **YEAR 2021 PROJECT.**

3 (a) MODIFICATION OF PROJECT AUTHORITY.—In the case of the authorization contained in  
4 the table in section 2101(a) of the William M. (Mac) Thornberry National Defense Authorization  
5 Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. xxxx) for Fort Wainwright, Alaska, for  
6 construction of Unaccompanied Enlisted Personnel Housing, as specified in the funding table in  
7 section 4601 of such Act (134 Stat. xxxx), the Secretary of the Army may construct an  
8 Unaccompanied Enlisted Personnel Housing building of 104,300 square feet to incorporate a  
9 modified standard design, and also may construct an outdoor recreational shelter, sports fields  
10 and courts, barbecue and leisure area, and fitness stations associated with the Unaccompanied  
11 Enlisted Personnel Housing.

12 (b) MODIFICATION OF PROJECT AMOUNTS.—

13 (1) DIVISION B TABLE.—The authorization table in section 2101(a) of the William  
14 M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public  
15 Law 116–283; 134 Stat. xxxx) is amended in the item relating to Fort Wainwright,  
16 Alaska, by striking “\$114,000,000” and inserting “\$146,000,000” to reflect the project  
17 modification made by subsection (a).

18 (2) DIVISION D TABLE.—The funding table in section 4601 of the William M.  
19 (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law  
20 116-283; 134 Stat. xxxx) is amended in the item relating to Fort Wainwright,  
21 Unaccompanied Enlisted Personnel Housing, by striking “\$59,000” in the Conference

1 Authorized column and inserting “\$91,000” to reflect the project modification made by  
2 subsection (a).

3 **SEC. 2106. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR**  
4 **2022 PROJECT.**

5 (a) PROJECT AUTHORIZATION.—The Secretary of the Army may carry out a military  
6 construction project to construct a 6,000 square foot recycling center to meet the requirements of  
7 a qualified recycling program at Aberdeen Proving Ground, Maryland, in the amount of  
8 \$3,600,000.

9 (b) USE OF LEASE PAYMENT FUNDS.—The Secretary may use funds generated pursuant to  
10 section 2667 of title 10, United States Code, in addition to funds appropriated for unspecified  
11 minor military construction for the project described in subsection (a).

12 **TITLE XXII—NAVY MILITARY CONSTRUCTION**

13 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION**  
14 **PROJECTS.**

15 (a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the  
16 authorization of appropriations in section 2204(a) and available for military construction projects  
17 inside the United States as specified in the funding table in section 3002, the Secretary of the  
18 Navy may acquire real property and carry out military construction projects for the installations  
19 or locations inside the United States, and in the amounts, set forth in the following table:

**Navy: Inside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
California	San Nicholas Island	\$19,907,000
Nevada	Fallon	\$48,250,000
North Carolina	Cherry Point Marine Corps Air Station	\$321,417,000
Virginia	Norfolk	\$269,693,000
	Portsmouth	\$156,380,000

	Quantico	\$42,850,000
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1 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the  
2 authorization of appropriations in section 2204(a) and available for military construction projects  
3 outside the United States as specified in the funding table in section 3002, the Secretary of the  
4 Navy may acquire real property and carry out military construction projects for the installation or  
5 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
Guam	Andersen Air Force Base	\$50,890,000
	Joint Region Marianas	\$507,527,000
Japan	Yokosuka	\$49,900,000

6 **SEC. 2202. FAMILY HOUSING.**

7 Using amounts appropriated pursuant to the authorization of appropriations in section  
8 2204(a) and available for military family housing functions as specified in the funding table in  
9 section 3002, the Secretary of the Navy may carry out architectural and engineering services and  
10 construction design activities with respect to the construction or improvement of family housing  
11 units in an amount not to exceed \$5,732,000.

12 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

13 Subject to section 2825 of title 10, United States Code, and using amounts appropriated  
14 pursuant to the authorization of appropriations in section 2204(a) and available for military  
15 family housing functions as specified in the funding table in section 3002, the Secretary of the  
16 Navy may improve existing military family housing units in an amount not to exceed  
17 \$71,884,000.

18 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

1 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be  
 2 appropriated for fiscal years beginning after September 30, 2021, for military construction, land  
 3 acquisition, and military family housing functions of the Department of the Navy, as specified in  
 4 the funding table in section 3002.

5 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost  
 6 variations authorized by section 2853 of title 10, United States Code, and any other cost variation  
 7 authorized by law, the total cost of all projects carried out under section 2201 of this Act may not  
 8 exceed the total amount authorized to be appropriated under subsection (a), as specified in the  
 9 funding table in section 3002.

10 **TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION**

11 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION**  
 12 **PROJECTS.**

13 (a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the  
 14 authorization of appropriations in section 2304(a) and available for military construction projects  
 15 inside the United States as specified in the funding table in section 3002, the Secretary of the Air  
 16 Force may acquire real property and carry out military construction projects for the installations  
 17 or locations inside the United States, and in the amounts, set forth in the following table:

**Air Force: Inside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Alaska	Joint Base Elmendorf-Richardson	\$251,000,000
Arizona	Davis-Monthan Air Force Base	\$13,400,000
	Luke Air Force Base	\$49,000,000
California	Vandenberg Space Force Base	\$67,000,000
District of Columbia	Joint Base Anacostia Bolling	\$24,000,000
Louisiana	Barksdale Air Force Base	\$272,000,000
Maryland	Joint Base Andrews	\$26,000,000
Massachusetts	Hanscom Air Force Base	\$66,000,000
Oklahoma	Tinker Air Force Base	\$160,000,000
South Dakota	Ellsworth Air Force Base	\$242,000,000

Texas	Joint Base San Antonio	\$141,000,000
	Sheppard Air Force Base	\$20,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the  
2 authorization of appropriations in section 2304(a) and available for military construction projects  
3 outside the United States as specified in the funding table in section 3002, the Secretary of the  
4 Air Force may acquire real property and carry out military construction projects for the  
5 installation or location outside the United States, and in the amount, set forth in the following  
6 table:

**Air Force: Outside the United States**

Country	Installation or Location	Amount
Australia	Darwin	\$7,400,000
	Tindal	\$14,400,000
Guam	Joint Region Marianas	\$85,000,000
Japan	Kadena Air Base	\$206,000,000
	Misawa Air Base	\$25,000,000
United Kingdom	Royal Air Force Lakenheath	\$80,000,000

7 **SEC. 2302. FAMILY HOUSING.**

8 Using amounts appropriated pursuant to the authorization of appropriations in section  
9 2304(a) and available for military family housing functions as specified in the funding table in  
10 section 3002, the Secretary of the Air Force may carry out architectural and engineering services  
11 and construction design activities with respect to the construction or improvement of family  
12 housing units in an amount not to exceed \$10,458,000.

13 **SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.**

14 Subject to section 2825 of title 10, United States Code, and using amounts appropriated  
15 pursuant to the authorization of appropriations in section 2304(a) and available for military  
16 family housing functions as specified in the funding table in section 3002, the Secretary of the

1 Air Force may improve existing military family housing units in an amount not to exceed  
2 \$105,528,000.

3 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be  
5 appropriated for fiscal years beginning after September 30, 2021, for military construction, land  
6 acquisition, and military family housing functions of the Department of the Air Force, as  
7 specified in the funding table in section 3002.

8 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost  
9 variations authorized by section 2853 of title 10, United States Code, and any other cost variation  
10 authorized by law, the total cost of all projects carried out under section 2301 of this Act may not  
11 exceed the total amount authorized to be appropriated under subsection (a), as specified in the  
12 funding table in section 3002.

13 **SEC. 2305. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2017**  
14 **PROJECTS.**

15 (a) EXTENSION.—Notwithstanding section 2002 of the National Defense Authorization  
16 Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2688), the authorizations set forth in  
17 the table in subsection (b), as provided in section 2301 of that Act (130 Stat. 2696), shall remain  
18 in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for  
19 military construction for fiscal year 2024, whichever is later.

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

**Air Force: Extension of 2017 Project Authorizations**

<b>Country</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Original Authorized Amount</b>
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Germany	Ramstein Air Base	37 AS Squadron Operations/Aircraft Maintenance Unit	\$13,437,000
Guam	Joint Region Marianas	APR - Munitions Storage Igloos, Ph 2	\$35,300,000
	Joint Region Marianas	APR - SATCOM C4I Facility	\$14,200,000
Japan	Kadena Air Base	APR - Replace Munitions Structures	\$19,815,000
	Yokota Air Base	C-130J Corrosion Control Hangar	\$23,777,000
	Yokota Air Base	Construct Combat Arms Training and Maintenance Facility	\$8,243,000
United Kingdom	Royal Air Force Croughton	Main Gate Complex	\$16,500,000

1 **SEC. 2306. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2017**  
2 **PROJECTS.**

3 (a) EXTENSION.—Notwithstanding section 2002 of the National Defense Authorization  
4 Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2688), the authorizations set forth in  
5 the table in subsection (b), as provided in section 2902 of that Act (130 Stat. 2743), shall remain  
6 in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for  
7 military construction for fiscal year 2024, whichever is later.

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

**Air Force: Extension of 2017 Project Authorizations**

<b>Country</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Original Authorized Amount</b>
Germany	Spangdahlem Air Base	F/A-22 Low Observable/Composite Repair Fac	\$12,000,000
	Spangdahlem Air Base	Upgrade Hardened Aircraft Shelters for F/A-22	\$2,700,000

9 **SEC. 2307. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2017**  
10 **PROJECT.**

(a) EXTENSION.—Notwithstanding section 2002 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2688), the authorization set forth in the table in subsection (b), as provided in section 2301 of that Act (130 Stat. 2696), shall remain in effect until October 1, 2022 or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2023 whichever is later.

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

**Air Force: Extension of 2017 Project Authorization**

<b>Country</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Original Authorized Amount</b>
Massachusetts	Hanscom Air Force Base	Construct Vandenberg Gate Complex	\$10,965,000

**SEC. 2308. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECT.**

In the case of the authorization contained in section 2301(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1283) for Tyndall Air Force Base, Florida, for construction of Fire Station, as specified in the funding table in section 4601 of that Act (131 Stat. 2002), the Secretary of the Air Force may construct up to 3,588 square meters of crash rescue/structural fire station.

**SEC. 2309. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.**

In the case of the authorization contained in section 2912(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1913) for Tyndall Air Force Base, Florida—

1 (1) for construction of Site Development, Utilities, and Demo Phase 1, as  
2 specified in the Natural Disaster Recovery Justification Book dated August 2019, the  
3 Secretary of the Air Force may construct—

4 (A) up to 3,698 lineal meters of waste water;

5 (B) up to 6,306 lineal meters of storm water; and

6 (C) two emergency power backup generators; and

7 (2) for construction of Munitions Storage Facilities, as specified in the Natural  
8 Disaster Recovery Justification Book dated August 2019, the Secretary of the Air Force  
9 may construct—

10 (A) up to 4,393 square meters of aircraft support equipment storage yard;

11 (B) up to 1,535 square meters of tactical missile maintenance facility; and

12 (C) up to 560 square meters of missile warhead assembly and maintenance  
13 shop and storage.

14 **SEC. 2310. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL**  
15 **YEAR 2020 PROJECTS.**

16 (a) TYNDALL AIR FORCE BASE, FLORIDA.—In the case of the authorization contained in  
17 section 2912(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law  
18 116–92; 133 Stat. 1913) for Tyndall Air Force Base, Florida —

19 (1) for construction of 325th Fighting Wing HQ Facility, as specified in the  
20 funding table in section 4603 of that Act (133 Stat. 2103), the Secretary of the Air Force  
21 may construct up to 769 square meters of separate administrative space for SAPR/SARC;

1 (2) for construction of Deployment Center/Flight Line Dining/AAFES, as  
2 specified in such funding table, the Secretary of the Air Force may construct up to 144  
3 square meters of AAFES shoppette;

4 (3) for construction of Flightline—Muns Storage, 7000 Area, as specified in the  
5 funding table in such funding table, the Secretary of the Air Force may construct —

6 (A) up to 1,861 square meters of above ground magazines; and

7 (B) up to 530 square meters of air support equipment shop / storage  
8 facility pad;

9 (4) for construction of Site Development, Utilities and Demo Phase 2, as specified  
10 in the funding table in such funding table, the Secretary of the Air Force may construct—

11 (A) up to 5,233 lineal meters of storm water;

12 (B) up to 48,560 square meters of roads;

13 (C) up to 3,612 lineal meters of gas pipeline; and

14 (D) up to 993 square meters of water fire pumping station with an  
15 emergency backup generator;

16 (5) for construction of Tyndall AFB Gate Complexes, as specified in such funding  
17 table, the Secretary of the Air Force may construct—

18 (A) up to 52,694 square meters of roadway with serpentines; and

19 (B) up to 20 active/passive barriers; and

20 (6) for construction of Airfield Drainage, as specified in such funding table, the  
21 Secretary of the Air Force may construct—

22 (A) up to 37,357 meters of drainage ditch;

23 (B) up to 18,891 meters of storm drain piping;

- 1 (C) up to 19,131 meters of box culvert;
- 2 (D) up to 3,704 meters of concrete block swale;
- 3 (E) up to 555 storm drain structures; and
- 4 (F) up to 81,500 square meters of storm drain ponds.

5 (b) TYNDALL AIR FORCE BASE, FLORIDA.—In the case of the authorization contained in  
6 section 2912(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law  
7 116–92; 133 Stat. 1913) for Tyndall Air Force Base, Florida—

8 (1) for construction of 53 WEG Complex, as specified in the Natural Disaster  
9 Recovery Justification Book dated August 2019, the Secretary of the Air Force may  
10 construct—

- 11 (A) up to 1,693 square meters of aircraft maintenance shop;
- 12 (B) up to 1,458 square meters of fuel systems maintenance dock; and
- 13 (C) up to 3,471 square meters of group headquarters;

14 (2) for construction of 53 WEG Subscale Drone Facility, as specified in the  
15 Natural Disaster Recovery Justification Book dated August 2019, the Secretary of the Air  
16 Force may construct up to 511 square meters of pilotless aircraft shop in a separate  
17 facility;

18 (3) for construction of CE/Contracting/USACE Complex, as specified in the  
19 Natural Disaster Recovery Justification Book dated August 2019, the Secretary of the Air  
20 Force may construct—

- 21 (A) up to 557 square meters of base engineer storage shed 6000 area; and
- 22 (B) up to 183 square meters of non-Air Force administrative office;

1 (4) for construction of Logistics Readiness Squadron Complex, as specified in the  
2 Natural Disaster Recovery Justification Book dated August 2019, the Secretary of the Air  
3 Force may construct—

4 (A) up to 802 square meters of supply administrative headquarters;

5 (B) up to 528 square meters of vehicle wash rack; and

6 (C) up to 528 square meters of vehicle service rack;

7 (5) for construction of Fire Station Silver Flag #4, as specified in the Natural  
8 Disaster Recovery Justification Book dated August 2019, the Secretary of the Air Force  
9 may construct up to 651 square meters of fire station; and

10 (6) for construction of AFCEC RDT&E, as specified in the Natural Disaster  
11 Recovery Justification Book dated August 2019, the Secretary of the Air Force may  
12 construct 501 square meters of CE Mat Test Runway Support Building, 1,214 square  
13 meters of Robotics Range Control Support Building, and 953 square meters of fire  
14 garage.

## 15 **TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION**

### 16 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND**

#### 17 **ACQUISITION PROJECTS.**

18 (a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the  
19 authorization of appropriations in section 2403(a) and available for military construction projects  
20 inside the United States as specified in the funding table in section 3002, the Secretary of  
21 Defense may acquire real property and carry out military construction projects for the  
22 installations or locations inside the United States, and in the amounts, set forth in the following  
23 table:

**Defense Agencies: Inside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
California	Camp Pendleton	\$13,600,000
	Coronado	\$33,700,000
Colorado	Buckley Air Force Base	\$20,000,000
Georgia	Fort Benning	\$62,000,000
Hawaii	Joint Base Pearl Harbor-Hickam	\$29,800,000
Maryland	Fort Meade	\$1,201,000,000
New Mexico	Kirtland Air Force Base	\$8,600,000
Virginia	Fort Belvoir	\$29,800,000
	Pentagon	\$50,543,000
Washington	Oak Harbor	\$59,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the  
2 authorization of appropriations in section 2403(a) and available for military construction projects  
3 outside the United States as specified in the funding table in section 3002, the Secretary of  
4 Defense may acquire real property and carry out military construction projects for the  
5 installations or locations outside the United States, and in the amounts, set forth in the following  
6 table:

**Defense Agencies: Outside the United States**

<b>Country</b>	<b>Installation or Location</b>	<b>Amount</b>
Germany	Ramstein Air Base	\$93,000,000
Japan	Kadena Air Base	\$24,000,000
	Misawa Air Base	\$6,000,000
United Kingdom	Royal Air Force Lakenheath	\$19,283,000

**SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CONSERVATION**

**INVESTMENT PROGRAM PROJECTS.**

9 (a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the  
10 authorization of appropriations in section 2403(a) and available for energy conservation projects  
11 as specified in the funding table in section 3002, the Secretary of Defense may carry out energy  
12 conservation projects under chapter 173 of title 10, United States Code, for the installations or  
13 locations inside the United States, and in the amounts, set forth in the following table:

**ERCIP Projects: Inside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
Alabama	Fort Rucker	Construct a 10 MW RICE Generator Plant and Micro-Grid Controls	\$24,000,000
California	Marine Corps Air Station Miramar	Additional LFG Power Meter Station	\$4,054,000
	Naval Air Weapons Station China Lake / Ridgecrest	Solar Energy Storage System	\$9,120,000
Florida	MacDill Air Force Base	Transmission and Switching Stations	\$22,000,000
Georgia	Fort Benning	Construct 4.8MW Generation and Microgrid	\$17,593,000
	Fort Stewart	Construct a 10 MW Generation Plant, with Microgrid Controls	\$22,000,000
	Naval Submarine Base Kings Bay	Electrical Transmission and Distribution	\$19,314,000
Idaho	Mountain Home Air Force Base	Construct Water Treatment Plant and Pump Station	\$33,800,000
Michigan	Camp Grayling	Construct 650 kW Gas-Fired Micro-Turbine Generation System	\$5,700,000
North Carolina	Fort Bragg	Construct 10 MW Microgrid Utilizing Existing and New Generators	\$19,464,000
Ohio	Springfield-Beckley Municipal Airport	Install Base-wide Microgrid with Natural Gas Generator, Photovoltaic and Battery Storage	\$4,700,000
Tennessee	Memphis International Airport	PV Arrays and Battery Storage	\$4,780,000
Virginia	Fort Belvoir, NGA Campus East	LED Upgrade Package	\$365,000
	Pentagon, Mark Center, and Raven Rock Mountain Complex	Recommissioning of HVAC Systems, Part B	\$2,600,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the  
2 authorization of appropriations in section 2403(a) and available for energy conservation projects  
3 as specified in the funding table in section 3002, the Secretary of Defense may carry out energy

1 conservation projects under chapter 173 of title 10, United States Code, for the installations or  
2 locations outside the United States, and in the amounts, set forth in the following table:

**ERCIP Projects: Outside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
Guam	Polaris Point, Naval Base Guam	Inner Apra Harbor Resiliency Upgrades (Phase I)	\$38,300,000
Japan	Naval Air Facility Atsugi	NAF Atsugi Smart Grid for Utility and Facility Controls	\$3,810,000
Kuwait	Camp Arifjan	Install Microgrid Controller, 1.25 MW Solar PV, and 1.5 MWh Battery	\$15,000,000

3 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be  
5 appropriated for fiscal years beginning after September 30, 2021, for military construction, land  
6 acquisition, and military family housing functions of the Department of Defense (other than the  
7 military departments), as specified in the funding table in section 3002.

8 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost  
9 variations authorized by section 2853 of title 10, United States Code, and any other cost variation  
10 authorized by law, the total cost of all projects carried out under section 2401 of this Act may not  
11 exceed the total amount authorized to be appropriated under subsection (a), as specified in the  
12 funding table in section 3002.

13 **SEC. 2404. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2017**  
14 **PROJECT.**

15 (a) EXTENSION.—Notwithstanding section 2002 of the National Defense Authorization  
16 Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2688), the authorization set forth in the  
17 table in subsection (b), as provided in section 2401 of that Act (130 Stat. 2700), shall remain in

1 effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military  
2 construction for fiscal year 2024, whichever is later.

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

**Defense Agencies: Extension of 2017 Project Authorization**

<b>Country</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Original Authorized Amount</b>
Japan	Yokota Air Base	Hangar/AMU	\$39,466,000

4 **TITLE XXV—INTERNATIONAL PROGRAMS**

5 **Subtitle A—North Atlantic Treaty Organization Security Investment**

6 **Program**

7 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION**

8 **PROJECTS.**

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

14 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

15 (a) AUTHORIZATION.—Funds are hereby authorized to be appropriated for fiscal years  
16 beginning after September 30, 2021, for contributions by the Secretary of Defense under section  
17 2806 of title 10, United States Code, for the share of the United States of the cost of projects for  
18 the North Atlantic Treaty Organization Security Investment Program authorized by section 2501  
19 as specified in the funding table in section 3002.

1 (b) AUTHORITY TO RECOGNIZE NATO AUTHORIZATION AMOUNTS AS BUDGETARY

2 RESOURCES FOR PROJECT EXECUTION.—When the United States is designated as the Host Nation  
3 for the purposes of executing a project under the NATO Security Investment Program (NSIP),  
4 the Department of Defense construction agent may recognize the NATO project authorization  
5 amounts as budgetary resources to incur obligations for the purposes of executing the NSIP  
6 project.

7 **Subtitle B—Host Country In-kind Contributions**

8 **SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS.**

9 Pursuant to agreement with the Republic of Korea for required in-kind contributions, the  
10 Secretary of Defense may accept military construction projects for the installations or locations  
11 in the Republic of Korea, and in the amounts, set forth in the following table:

**Republic of Korea Funded Construction Projects**

<b>Component</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
Army	Camp Humphreys	Unaccompanied Enlisted Personnel Housing	\$52,000,000
Army	Camp Humphreys	Type I Aircraft Parking Apron and Parallel Taxiway	\$48,000,000
Navy	Mujuk	Expeditionary Dining Facility	\$10,200,000
Air Force	Gimhae Air Base	Repair Contingency Hospital	\$75,000,000
Air Force	Osan Air Base	Munitions Storage Area Move Delta (Phase 2)	\$171,000,000

12 **SEC. 2512. REPUBLIC OF POLAND PROVIDED INFRASTRUCTURE PROJECTS.**

13 Pursuant to agreement with the Republic of Poland for required in-kind contributions, the  
14 Secretary of Defense may accept military construction projects for the installations or locations  
15 in the Republic of Poland, and in the amounts, set forth in the following table:

**Republic of Poland Provided Infrastructure Projects**

<b>Component</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
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Army	Poznan	Command and Control Facility	\$30,000,000
Army	Poznan	Information Systems Facility	\$7,000,000

1 **SEC. 2513. AUTHORIZATION TO ACCEPT CONTRIBUTIONS FROM THE**  
2 **REPUBLIC OF KOREA IN THE FORM OF AN IRREVOCABLE**  
3 **LETTER OF CREDIT.**

4 In addition to any other authorized form of burden sharing contribution, the Secretary of  
5 Defense may accept contributions from the Republic of Korea, under authorities available to the  
6 Secretary, in the form of an irrevocable letter of credit issued by a financial institution acceptable  
7 to the Treasurer of the United States, for construction of the Black Hat Intelligence Fusion  
8 Center, Camp Humphreys, Republic of Korea, and for other military construction projects within  
9 the Republic of Korea.

10 **TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES**

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

13 (a) **INSIDE THE UNITED STATES.**—Using amounts appropriated pursuant to the  
14 authorization of appropriations in section 2606 and available for the National Guard and Reserve  
15 as specified in the funding table in section 3002, the Secretary of the Army may acquire real  
16 property and carry out military construction projects for the Army National Guard locations  
17 inside the United States, and in the amounts, set forth in the following table:

**Army National Guard: Inside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Connecticut	Putnam	\$17,500,000
Georgia	Fort Benning	\$13,200,000
Idaho	Jerome	\$15,000,000
Illinois	Bloomington	\$15,000,000
Kansas	Topeka	\$16,732,000

Louisiana	Lake Charles	\$18,500,000
Maine	Saco	\$21,200,000
Montana	Butte	\$16,000,000
North Dakota	Dickinson	\$15,500,000
Virginia	Troutville	\$13,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the  
2 authorization of appropriations in section 2606 and available for the National Guard and Reserve  
3 as specified in the funding table in section 3002, the Secretary of the Army may acquire real  
4 property and carry out military construction projects for the installation or location outside the  
5 United States, and in the amounts, set forth in the following table:

**Army National Guard: Outside the United States**

<b>Country</b>	<b>Installation or Location</b>	<b>Amount</b>
Guam	Barrigada	\$34,000,000

6 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND**  
7 **ACQUISITION PROJECTS.**

8 Using amounts appropriated pursuant to the authorization of appropriations in section  
9 2606 and available for the National Guard and Reserve as specified in the funding table in  
10 section 3002, the Secretary of the Army may acquire real property and carry out military  
11 construction projects for the Army Reserve locations inside the United States, and in the  
12 amounts, set forth in the following table:

**Army Reserve**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Michigan	Southfield	\$12,000,000
Ohio	Wright-Patterson Air Force Base	\$19,000,000
Wisconsin	Fort McCoy	\$12,200,000

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

1 Using amounts appropriated pursuant to the authorization of appropriations in section  
 2 2606 and available for the National Guard and Reserve as specified in the funding table in  
 3 section 3002, the Secretary of the Navy may acquire real property and carry out military  
 4 construction projects for the Navy Reserve and Marine Corps Reserve locations inside the  
 5 United States, and in the amounts, set forth in the following table:

**Navy Reserve and Marine Corps Reserve**

State	Installation or Location	Amount
Michigan	Battle Creek	\$49,090,000
Minnesota	Minneapolis	\$14,350,000

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

8 Using amounts appropriated pursuant to the authorization of appropriations in section  
 9 2606 and available for the National Guard and Reserve as specified in the funding table in  
 10 section 3002, the Secretary of the Air Force may acquire real property and carry out military  
 11 construction projects for the Air National Guard locations inside the United States, and in the  
 12 amounts, set forth in the following table:

**Air National Guard**

State	Installation or Location	Amount
Massachusetts	Barnes Municipal Airport	\$12,200,000
Michigan	Alpena County Regional Airport	\$23,000,000
	W. K. Kellogg Regional Airport	\$10,000,000
Mississippi	Jackson International Airport	\$9,300,000
New York	Schenectady Municipal Airport	\$10,800,000
Ohio	Camp Perry	\$7,800,000
South Carolina	McEntire Joint National Guard Base	\$9,800,000
South Dakota	Joe Foss Field	\$9,800,000
Wisconsin	Truax Field	\$44,200,000
Wyoming	Cheyenne Municipal Airport	\$13,400,000

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

3 Using amounts appropriated pursuant to the authorization of appropriations in section  
 4 2606 and available for the National Guard and Reserve as specified in the funding table in  
 5 section 3002, the Secretary of the Air Force may acquire real property and carry out military  
 6 construction projects for the Air Force Reserve locations inside the United States, and in the  
 7 amounts, set forth in the following table:

<b>Air Force Reserve</b>		
<b>State</b>	<b>Location</b>	<b>Amount</b>
Florida	Homestead Air Force Station	\$14,000,000
	Patrick Space Force Base	\$18,500,000
Minnesota	Minneapolis-St Paul International Airport Air Reserve Station	\$14,000,000
	New York	Niagara Falls Air Reserve Station

8 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND**  
 9 **RESERVE.**

10 Funds are hereby authorized to be appropriated for fiscal years beginning after September  
 11 30, 2021, for the costs of acquisition, architectural and engineering services, and construction of  
 12 facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of  
 13 title 10, United States Code (including the cost of acquisition of land for those facilities), as  
 14 specified in the funding table in section 3002.

15 **TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES**

16 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT**  
 17 **AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF**  
 18 **DEFENSE BASE CLOSURE ACCOUNT.**

1 Funds are hereby authorized to be appropriated for fiscal years beginning after September  
2 30, 2021, for base realignment and closure activities, including real property acquisition and  
3 military construction projects, as authorized by the Defense Base Closure and Realignment Act  
4 of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through  
5 the Department of Defense Base Closure Account established by section 2906 of such Act (as  
6 amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013  
7 (division B of Public Law 112-239; 126 Stat. 2140)), as specified in the funding table in section  
8 3002.

## 9 **TITLE XXX—MILITARY CONSTRUCTION FUNDING**

### 10 **SEC. 3001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.**

11 (a) **IN GENERAL.**—Whenever a funding table in this title specifies a dollar amount  
12 authorized for a project, program, or activity, the obligation and expenditure of the specified  
13 dollar amount for the project, program, or activity is hereby authorized, subject to the availability  
14 of appropriations.

15 (b) **MERIT-BASED DECISIONS.**—A decision to commit, obligate, or expend funds with or  
16 to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

17 (1) be based on merit-based selection procedures in accordance with the  
18 requirements of sections 2304(k) and 2374 of title 10, United States Code, or on  
19 competitive procedures; and

20 (2) comply with other applicable provisions of law.

21 (c) **RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.**—An amount specified  
22 in the funding tables in this title may be transferred or reprogrammed under a transfer or  
23 reprogramming authority provided by another provision of this Act or by other law. The transfer

1 or reprogramming of an amount specified in such funding tables shall not count against a ceiling  
 2 on such transfers or reprogrammings under any other provision of this Act or any other provision  
 3 of law, unless such transfer or reprogramming would move funds between appropriation  
 4 accounts.

5 (d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex  
 6 that accompanies this Act.

7 (e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication  
 8 concerning any amount specified in the funding tables in this division shall supersede the  
 9 requirements of this section.

10 **SEC. 3002. MILITARY CONSTRUCTION TABLE.**

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**SEC. 3002. MILITARY CONSTRUCTION**  
**(In Thousands of Dollars)**

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<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2022 Budget Request</b>
	Alabama		
Army	Redstone Arsenal	Propulsion Systems Lab	55,000
	Belgium		
Army	SHAPE Headquarters	Command and Control Facility	16,000
	California		
Army	Fort Irwin	Simulations Center	52,000
	Georgia		
Army	Fort Gordon	Cyber Instructional Fac (Admin/Command), Incr2	69,000
	Germany		
Army	East Camp Grafenwoehr	EDI: Barracks and Dining Facility	103,000
Army	Smith Barracks	Indoor Small Arms Range	17,500
Army	Smith Barracks	Live Fire Exercise Shoothouse	16,000
	Hawaii		
Army	West Loch Annex	Ammunition Storage	51,000
	Louisiana		
Army	Fort Polk	Joint Operations Center	55,000
	Maryland		

**SEC. 3002. MILITARY CONSTRUCTION**  
**(In Thousands of Dollars)**

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2022 Budget Request</b>
Army	Fort Meade New York	Barracks	81,000
Army	Fort Hamilton	Information Systems Facility	26,000
Army	Watervliet Arsenal Pennsylvania	Access Control Point	20,000
Army	Letterkenny Army Depot South Carolina	Fire Station	21,000
Army	Fort Jackson Worldwide Classified	Reception Barracks Complex, Ph2, Incr2	34,000
Army	Classified Location Worldwide Unspecified	Forward Operating Site	31,000
Army	Unspecified Worldwide Locations	Host Nation Support	27,000
Army	Unspecified Worldwide Locations	Planning and Design	124,649
Army	Unspecified Worldwide Locations	Unspecified Minor Construction	35,543
<b>Total Military Construction, Army</b>			<b>834,692</b>
	California		
Navy	Camp Pendleton	I MEF Consolidated Information Center (INC)	19,869
Navy	Lemoore	F-35C Hangar 6 Phase 2 (Mod 3/4) (INC)	75,070
Navy	Seal Beach	Missile Magazines (INC)	10,840
Navy	San Diego	Pier 6 Replacement (INC)	50,000
Navy	San Nicholas Island	Directed Energy Weapons Test Facilities	19,907
	Greece		
Navy	Souda Bay	EDI: Joint Mobility Processing Center	41,650
	Guam		
Navy	Andersen Air Force Base	Aviation Admin Building	50,890
Navy	Joint Region Marianas	4th Marines Regiment Facilities	109,507
Navy	Joint Region Marianas	Bachelor Enlisted Quarters H (INC)	43,200
Navy	Joint Region Marianas	Combat Logistics Battalion-4 Facility	92,710
Navy	Joint Region Marianas	Consolidated Armory	43,470
Navy	Joint Region Marianas	Infantry Battalion Company HQ	44,100
Navy	Joint Region Marianas	Joint Communication Upgrade (INC)	84,000
Navy	Joint Region Marianas	Marine Expeditionary Brigade Enablers	66,830
Navy	Joint Region Marianas	Principal End Item (PEI) Warehouse	47,110
Navy	Joint Region Marianas	X-Ray Wharf Berth 2	103,800
	Japan		

**SEC. 3002. MILITARY CONSTRUCTION**  
**(In Thousands of Dollars)**

Account	State/Country and Installation	Project Title	FY 2022 Budget Request
Navy	Yokosuka	Pier 5 (Berths 2 and 3) (INC)	15,292
Navy	Yokosuka	Ship Handling and Combat Training Facilities	49,900
	Maine		
Navy	Kittery	Multi-Mission Drydock #1 Extension (INC)	250,000
	Nevada		
Navy	Fallon	Training Range Land Acquisition - Phase 2	48,250
	North Carolina		
Navy	Camp Lejeune	II MEF Operations Center Replacement (INC)	42,200
Navy	Cherry Point Marine Corps Air Station	Aircraft Maintenance Hangar	207,897
Navy	Cherry Point Marine Corps Air Station	F-35 Flightline Utilities Modernization Ph 2	113,520
	Virginia		
Navy	Norfolk	Submarine Pier 3 (INC)	88,923
Navy	Portsmouth	Dry Dock Saltwater System for CVN-78	156,380
Navy	Quantico	Vehicle Inspection and Visitor Control Center	42,850
Navy	Quantico	Wargaming Center (INC)	30,500
	Worldwide Unspecified		
Navy	Unspecified Worldwide Locations	Planning and Design	363,252
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	56,435
<b>Total Military Construction, Navy</b>			<b>2,368,352</b>
	Alaska		
AF	Joint Base Elmendorf-Richardson	Extend Runway 16/34, Inc. 1	79,000
	Arizona		
AF	Davis-Monthan Air Force Base	South Wilmot Gate	13,400
AF	Luke Air Force Base	F-35A ADAL AMU Facility Squadron #6	28,000
AF	Luke Air Force Base	F-35A Squadron Operations Facility #6	21,000
	Australia		
AF	Darwin	Squadron Operations Facility	7,400
AF	Tindal	Aircraft Maintenance Support Facility	6,200
AF	Tindal	Squadron Operations Facility	8,200
	California		
AF	Edwards Air Force Base	Flight Test Engineering Lab Complex	4,000
AF	Vandenberg Space Force Base	GBSD Re-Entry Vehicle Facility	48,000
AF	Vandenberg Space Force Base	GBSD Stage Processing Facility	19,000
	District of Columbia		

**SEC. 3002. MILITARY CONSTRUCTION**  
**(In Thousands of Dollars)**

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2022 Budget Request</b>
AF	Joint Base Anacostia Bolling	Joint Air Defense Operations Center Phase II	24,000
	Germany		
AF	Spangdahlem Air Base	F/A-22 LO/Composite Repair Facility	22,625
	Guam		
AF	Joint Region Marianas	Airfield Damage Repair Warehouse	30,000
AF	Joint Region Marianas	Hayman Munitions Storage Igloos, MSA2	9,824
AF	Joint Region Marianas	Munitions Storage Igloos IV	55,000
	Hungary		
AF	Kecskemet Air Base	ERI: Construct Airfield Upgrades	20,564
AF	Kecskemet Air Base	ERI: Construct Parallel Taxiway	38,650
	Japan		
AF	Kadena Air Base	Airfield Damage Repair Storage Facility	38,000
AF	Kadena Air Base	Helicopter Rescue Ops Maintenance Hangar	168,000
AF	Kadena Air Base	Replace Munitions Structures	26,100
AF	Misawa Air Base	Airfield Damage Repair Facility	25,000
AF	Yokota Air Base	C-130J Corrosion Control Hangar	67,000
AF	Yokota Air Base	Construct CATM Facility	25,000
	Louisiana		
AF	Barksdale Air Force Base	Weapons Generation Facility, Inc 1	40,000
	Maryland		
AF	Joint Base Andrews	Fire Crash Rescue Station	26,000
	Massachusetts		
AF	Hanscom Air Force Base	NC3 Acquisitions Management Facility	66,000
	Oklahoma		
AF	Tinker Air Force Base	KC-46A 3-Bay Depot Maintenance Hangar	160,000
	South Dakota		
AF	Ellsworth Air Force Base	B-21 2-Bay LO Restoration Facility, Inc 2	91,000
AF	Ellsworth Air Force Base	B-21 ADAL Flight Simulator	24,000
AF	Ellsworth Air Force Base	B-21 Field Training Detachment Facility	47,000
AF	Ellsworth Air Force Base	B-21 Formal Training Unit/AMU	70,000
AF	Ellsworth Air Force Base	B-21 Mission Operations Planning Facility	36,000
AF	Ellsworth Air Force Base	B-21 Washrack and Maintenance Hangar	65,000
	Spain		
AF	Moron	EDI: Hot Cargo Pad	8,542
	Texas		

**SEC. 3002. MILITARY CONSTRUCTION**  
**(In Thousands of Dollars)**

Account	State/Country and Installation	Project Title	FY 2022 Budget Request
AF	Joint Base San Antonio	BMT Recruit Dormitory 7	141,000
AF	Joint Base San Antonio	BMT Recruit Dormitory 8, Inc. 3	31,000
AF	Sheppard Air Force Base	Child Development Center	20,000
	United Kingdom		
AF	Royal Air Force Fairford	EDI: Construct DABS-FEV Storage	94,000
AF	Royal Air Force Lakenheath	F-35A Munition Inspection Facility	31,000
AF	Royal Air Force Lakenheath	F-35A Weapons Load Training Facility	49,000
	Utah		
AF	Hill Air Force Base	GBSD Organic Software Sustain Ctr, Inc 2	31,000
	Worldwide Unspecified		
AF	Various Worldwide Locations	EDI: Planning and Design	648
AF	Various Worldwide Locations	PDI: Planning and Design	27,200
AF	Various Worldwide Locations	Planning and Design	201,453
AF	Various Worldwide Locations	Unspecified Minor Construction	58,884
<b>Total Military Construction, Air Force</b>			<b>2,102,690</b>
	Belgium		
Def-Wide	Chievres Air Base	Europe West District Superintendent's Office	15,000
	California		
Def-Wide	Camp Pendleton	Veterinary Treatment Facility Replacement	13,600
Def-Wide	Coronado	SOF ATC Operations Support Facility	21,700
Def-Wide	Coronado	SOF NSWG11 Operations Support Facility	12,000
	Colorado		
Def-Wide	Buckley Air Force Base	JCC Expansion	20,000
	Georgia		
Def-Wide	Fort Benning	SOF Battalion Headquarters Facility	62,000
	Germany		
Def-Wide	Ramstein Air Base	Ramstein Middle School	93,000
	Hawaii		
Def-Wide	Joint Base Pearl Harbor-Hickam	Veterinary Treatment Facility Replacement	29,800
	Japan		
Def-Wide	Iwakuni	Fuel Pier	57,700
Def-Wide	Kadena Air Base	Operations Support Facility	24,000
Def-Wide	Kadena Air Base	Truck Unload Facilities	22,300
Def-Wide	Misawa Air Base	Additive Injection Pump and Storage Sys	6,000
Def-Wide	Yokota Air Base	Hangar/AMU	108,253

**SEC. 3002. MILITARY CONSTRUCTION**  
**(In Thousands of Dollars)**

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2022 Budget Request</b>
	Maryland		
Def-Wide	Bethesda Naval Hospital	MEDCEN Addition / Alteration, Incr 5	153,233
Def-Wide	Fort Meade	NSAW Mission Ops and Records Center (INC I)	94,000
Def-Wide	Fort Meade	NSAW Recap Building 4, Incr 1	104,100
Def-Wide	Fort Meade	SOF Operations Facility	100,000
	Missouri		
Def-Wide	Fort Leonard Wood	Hospital Replacement, Incr 4	160,000
	New Mexico		
Def-Wide	Kirtland Air Force Base	Environmental Health Facility Replacement	8,600
	Puerto Rico		
Def-Wide	Punta Borinquen	Ramey Unit School Replacement	84,000
	Texas		
Def-Wide	Joint Base San Antonio	Ambulatory Care Center Phase 4	35,000
	United Kingdom		
Def-Wide	Menwith Hill Station	RAFMH Main Gate Rehabilitation	20,000
Def-Wide	Royal Air Force Lakenheath	Hospital Replacement-Temporary Facilities	19,283
	Virginia		
Def-Wide	Fort Belvoir	Veterinary Treatment Facility Replacement	29,800
Def-Wide	Pentagon	Consolidated Maintenance Complex	20,000
Def-Wide	Pentagon	Force Protection Perimeter Enhancements	8,608
Def-Wide	Pentagon	Public Works Support Facility	21,935
	Washington		
Def-Wide	Oak Harbor	ACC / Dental Clinic (Oak Harbor)	59,000
	Worldwide Unspecified		
Def-Wide	Unspecified Worldwide Locations	Energy Resilience and Conservation Investment Program	246,600
Def-Wide	Unspecified Worldwide Locations	Energy Resilience and Conservation Investment Program Planning and Design	40,150
Def-Wide	Unspecified Worldwide Locations	Exercise Related Unspecified Minor Construction, TJS	5,615
Def-Wide	Unspecified Worldwide Locations	Planning and Design, DEFW	14,194
Def-Wide	Unspecified Worldwide Locations	Planning and Design, DHA	35,099
Def-Wide	Unspecified Worldwide Locations	Planning and Design, DIA	11,000
Def-Wide	Unspecified Worldwide Locations	Planning and Design, DLA	20,862
Def-Wide	Unspecified Worldwide Locations	Planning and Design, DODEA	13,317
Def-Wide	Unspecified Worldwide Locations	Planning and Design, NSA	83,840
Def-Wide	Unspecified Worldwide Locations	Planning and Design, SOCOM	20,576

**SEC. 3002. MILITARY CONSTRUCTION**  
**(In Thousands of Dollars)**

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2022 Budget Request</b>
Def-Wide	Unspecified Worldwide Locations	Planning and Design, TJS	2,000
Def-Wide	Unspecified Worldwide Locations	Planning and Design, WHS	5,275
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, DEFW	3,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, DODEA	8,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, MDA	4,435
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, NSA	12,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, SOCOM	21,746
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction, DLA	6,668
<b>Total Military Construction, Defense-Wide</b>			<b>1,957,289</b>
	Worldwide Unspecified		
Def - Wide	NATO Security Investment Program	NATO Security Investment Program	205,853
<b>Total NATO Security Investment Program</b>			<b>205,853</b>
	Connecticut		
Army NG	Putnam	National Guard Readiness Center	17,500
	Georgia		
Army NG	Fort Benning	Post-Initial Mil. Training Unaccomp. Housing	13,200
	Guam		
Army NG	Barrigada	National Guard Readiness Center	34,000
	Idaho		
Army NG	Jerome	National Guard Readiness Center	15,000
	Illinois		
Army NG	Bloomington	National Guard Vehicle Maintenance Shop	15,000
	Kansas		
Army NG	Topeka	National Guard/Reserve Center Building	16,732
	Louisiana		
Army NG	Lake Charles	National Guard Readiness Center	18,500
	Maine		
Army NG	Saco	National Guard Vehicle Maintenance Shop	21,200
	Montana		
Army NG	Butte	National Guard Readiness Center	16,000
	North Dakota		
Army NG	Dickinson	National Guard Readiness Center	15,500
	Virginia		
Army NG	Troutville	Combined Support Maintenance Shop Addition	6,900
Army NG	Troutville	National Guard Readiness Center Addition	6,100

**SEC. 3002. MILITARY CONSTRUCTION**  
**(In Thousands of Dollars)**

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2022 Budget Request</b>
	Worldwide Unspecified		
Army NG	Unspecified Worldwide Locations	Planning and Design	22,000
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	39,471
<b>Total Military Construction, Army National Guard</b>			<b>257,103</b>
	Michigan		
Army Res	Southfield	Area Maintenance Support Activity	12,000
	Ohio		
Army Res	Wright-Patterson Air Force Base	AR Center Training Building / UHS	19,000
	Wisconsin		
Army Res	Fort McCoy	Transient Training BGE HQ	12,200
	Worldwide Unspecified		
Army Res	Unspecified Worldwide Locations	Planning and Design	7,167
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction	14,544
<b>Total Military Construction, Army Reserve</b>			<b>64,911</b>
	Michigan		
N/MC Res	Battle Creek	Reserve Center and Vehicle Maintenance Facility	49,090
	Minnesota		
N/MC Res	Minneapolis	Joint Reserve Intelligence Center	14,350
	Worldwide Unspecified		
N/MC Res	Unspecified Worldwide Locations	Planning and Design	6,005
N/MC Res	Unspecified Worldwide Locations	Unspecified Minor Construction	2,359
<b>Total Military Construction, Naval Reserve</b>			<b>71,804</b>
	Massachusetts		
Air NG	Barnes Municipal Airport	Combined Engine/ASE/NDI Shop	12,200
	Michigan		
Air NG	Alpena County Regional Airport	Aircraft Maintenance Hangar/Shops	23,000
Air NG	W. K. Kellogg Regional Airport	Construct Main Base Entrance	10,000
	Mississippi		
Air NG	Jackson International Airport	Fire Crash and Rescue Station	9,300
	New York		
Air NG	Schenectady Municipal Airport	C-130 Flight Simulator Facility	10,800
	Ohio		
Air NG	Camp Perry	RED HORSE Logistics Complex	7,800
	South Carolina		

**SEC. 3002. MILITARY CONSTRUCTION**  
**(In Thousands of Dollars)**

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2022 Budget Request</b>
Air NG	McEntire Joint National Guard Base South Dakota	F-16 Mission Training Center	9,800
Air NG	Joe Foss Field Wisconsin	F-16 Mission Training Center	9,800
Air NG	Truax Field	F-35 3-Bay Specialized Hangar	31,000
Air NG	Truax Field Worldwide Unspecified	Medical Readiness Facility	13,200
Air NG	Unspecified Worldwide Locations	Unspecified Minor Construction	29,068
Air NG	Various Worldwide Locations Wyoming	Planning and Design	18,402
Air NG	Cheyenne Municipal Airport	Combined Vehicle Maintenance and ASE Complex	13,400
<b>Total Military Construction, Air National Guard Total</b>			<b>197,770</b>
	Florida		
AF Res	Homestead Air Force Station	Corrosion Control Facility	14,000
AF Res	Patrick Space Force Base Minnesota	Simulator C-130J	18,500
AF Res	Minneapolis-St Paul International Airport Air Reserve Station New York	Mission Support Group Facility	14,000
AF Res	Niagara Falls Air Reserve Station Worldwide Unspecified	Main Gate	10,600
AF Res	Unspecified Worldwide Locations	Planning and Design	5,830
AF Res	Unspecified Worldwide Locations	Unspecified Minor Construction	15,444
<b>Total Military Construction, Air Force Reserve</b>			<b>78,374</b>
	Italy		
FH Con Army	Vicenza Worldwide Unspecified	New Construction	92,304
FH Con Army	Unspecified Worldwide Locations	Planning and Design	7,545
<b>Total Family Housing Construction, Army</b>			<b>99,849</b>
	Worldwide Unspecified		
FH Ops Army	Unspecified Worldwide Locations	Furnishings	18,077
FH Ops Army	Unspecified Worldwide Locations	Housing Privatization Support	38,404

**SEC. 3002. MILITARY CONSTRUCTION**  
**(In Thousands of Dollars)**

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2022 Budget Request</b>
FH Ops Army	Unspecified Worldwide Locations	Leasing	128,110
FH Ops Army	Unspecified Worldwide Locations	Maintenance	111,181
FH Ops Army	Unspecified Worldwide Locations	Management	42,850
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous	556
FH Ops Army	Unspecified Worldwide Locations	Services	8,277
FH Ops Army	Unspecified Worldwide Locations	Utilities	43,772
<b>Total Family Housing Operation &amp; Maintenance, Army</b>			<b>391,227</b>
Worldwide Unspecified			
FH Con Navy	Unspecified Worldwide Locations	Construction Improvements	71,884
FH Con Navy	Unspecified Worldwide Locations	Planning and Design	5,732
<b>Total Family Housing Construction, Navy</b>			<b>77,616</b>
Worldwide Unspecified			
FH Ops Navy	Unspecified Worldwide Locations	Furnishings	16,537
FH Ops Navy	Unspecified Worldwide Locations	Housing Privatization Support	54,544
FH Ops Navy	Unspecified Worldwide Locations	Leasing	62,567
FH Ops Navy	Unspecified Worldwide Locations	Maintenance	95,417
FH Ops Navy	Unspecified Worldwide Locations	Management	54,083
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous	285
FH Ops Navy	Unspecified Worldwide Locations	Services	17,637
FH Ops Navy	Unspecified Worldwide Locations	Utilities	56,271
<b>Total Family Housing Operation &amp; Maintenance, Navy &amp; Marine Corps</b>			<b>357,341</b>
Georgia			
FH Con AF	Robins Air Force Base	Robins 2 MHPI Restructure	6,000
Nebraska			
FH Con AF	Offutt Air Force Base	Offutt MHPI Restructure	50,000
Worldwide Unspecified			
FH Con AF	Unspecified Worldwide Locations	Construction Improvements	49,258
FH Con AF	Unspecified Worldwide Locations	Planning and Design	10,458

**SEC. 3002. MILITARY CONSTRUCTION**  
**(In Thousands of Dollars)**

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2022 Budget Request</b>
<b>Total Family Housing Construction, Air Force</b>			<b>115,716</b>
Worldwide Unspecified			
FH Ops AF	Unspecified Worldwide Locations	Furnishings	26,842
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization	23,275
FH Ops AF	Unspecified Worldwide Locations	Leasing	9,520
FH Ops AF	Unspecified Worldwide Locations	Maintenance	141,754
FH Ops AF	Unspecified Worldwide Locations	Management	70,062
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous	2,200
FH Ops AF	Unspecified Worldwide Locations	Services	8,124
FH Ops AF	Unspecified Worldwide Locations	Utilities	43,668
<b>Total Family Housing Operations &amp; Maintenance, Air Force</b>			<b>325,445</b>
Worldwide Unspecified			
FH Ops DW	Unspecified Worldwide Locations	Furnishings, DIA	656
FH Ops DW	Unspecified Worldwide Locations	Furnishings, NSA	83
FH Ops DW	Unspecified Worldwide Locations	Leasing, DIA	31,430
FH Ops DW	Unspecified Worldwide Locations	Leasing, NSA	13,387
FH Ops DW	Unspecified Worldwide Locations	Maintenance, NSA	49
FH Ops DW	Unspecified Worldwide Locations	Utilities, DIA	4,166
FH Ops DW	Unspecified Worldwide Locations	Utilities, DIA	14
<b>Total Family Housing Operations &amp; Maintenance, Defense-Wide</b>			<b>49,785</b>
Worldwide Unspecified			
FH IF DW	Unspecified Worldwide Locations	Administrative Expenses - FHIF	6,081
<b>Total Family Housing Improvement Fund, Defense-Wide</b>			<b>6,081</b>
Worldwide Unspecified			
FH UHIF DW	Unspecified Worldwide Locations	Administrative Expenses - UHIF	494
<b>Total Unaccompanied Housing Improvement Fund, Defense-Wide</b>			<b>494</b>
Worldwide Unspecified			
BRAC	Unspecified Worldwide Locations	Base Realignment and Closure, Army	65,301
BRAC	Unspecified Worldwide Locations	Base Realignment and Closure, Navy	111,155
BRAC	Unspecified Worldwide Locations	Base Realignment and Closure, Air Force	104,216
BRAC	Unspecified Worldwide Locations	Base Realignment and Closure, Defense-Wide	3,967

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**SEC. 3002. MILITARY CONSTRUCTION**  
**(In Thousands of Dollars)**

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<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2022 Budget Request</b>
<b>Total Base Realignment and Closure Account</b>			<b>284,639</b>

1 **SEC. \_\_\_. MODIFICATION OF AUTHORITY TO PURCHASE USED VESSELS**  
2 **UNDER THE NATIONAL DEFENSE SEALIFT FUND.**

3 Section 2218(f)(3) of title 10, United States Code, is amended—

4 (1) by striking subparagraphs (C), (E), and (G); and

5 (2) by redesignating subparagraphs (D) and (F) as subparagraphs (C) and (D),  
6 respectively.

**[Please note: The “Changes to Existing Law” section below sets out in red-line format how the legislative text would amend existing law.]**

**Section-by-Section Analysis**

This proposal would amend section 2218 of title 10, United States Code, to provide the Secretary of Defense with the discretionary authority to purchase used, foreign built sealift ships without the accompanying requirement to procure 10 new sealift vessels in U.S. shipyards. This proposal would also waive the requirement for a new construction sealift vessel to be delivered by 2028. This authority will allow the Secretary of Defense to recapitalize surge sealift capability in the near term with used commercial ships, allowing the Department to align new construction acquisition with the projected retirement of vessels aging out of the Maritime Prepositioning Force (MPF), with delivery of a lead-new construction in 2029.

Over 50% of the Surge Sealift vessels are approaching the end of their service life in the next 10 years. By increasing the buy used authority, the Department can accelerate the path to recapitalize the Surge Sealift fleet immediately. Allowing the Secretary of Defense to increase the number of foreign built used vessels to replace ships reaching the end of service life maintains an acceptable level of capacity risk to meet lift requirements. As reflected in the *Business Case Analysis For the Recapitalization of The Ready Reserve Force*, Report to Congress (January 2019), the recapitalization of surge sealift capability with used commercial ships is the most cost effective and efficient method to maintain required capability.

In order to achieve the timeline for a new construction MPF lead ship, developing the prepositioning requirement(s) and design and acquisition processes will drive an anticipated delivery in time to support retirement of the first ship in 2030. Therefore, the legislative proposal removes the current statutory timeline to enable the immediate recapitalization of surge sealift capacity at a pace that will keep up with ships reaching the end of service life.

Increasing the authority to buy used, foreign ships will not impact the Department’s comprehensive commitment to fund and build new construction auxiliary ships in the United States. The 30-year Ship Building Plan details the procurement and delivery of several new construction auxiliary shipbuilding procurement programs: T-AO 205, Next Generation Logistics Ship (NGLS), T-EPF, T-ATS 6, T-AGOS(X), and AS(X). For these programs, the Navy’s Dec 2020 Plan depicts procurement of 30 ships by FY2026. Additionally, the Navy’s Dec 2020 Plan depicts a plan for 10 Non-Battle Force new construction auxiliary and sealift ships by FY2028. The United States industrial base continues to be the fundamental enabler for

achieving and sustaining the Navy’s future fleet. Our shipbuilding and supporting vendor base constitute a national security imperative that must be steadily supported, and grown, to maintain a skilled workforce. Consistent commitment to steady acquisition is required to ensure the U.S. industrial supplier base achieves the capability and capacity required to build and maintain the Navy’s future fleet. The Navy welcomes an opportunity to brief Congress on the Navy’s auxiliary shipbuilding plan.

**Budget Implications:** If enacted this proposal would not increase the budgetary requirements of the DoD. Funds to purchase the used vessels authorized by this proposal are included in the Navy’s FY 2022 Shipbuilding and Conversion Budget. Final budget estimates will be highly dependent on availability of suitable ships, market conditions, material condition, size, and overall military utility.

RESOURCE REQUIREMENTS (\$MILLIONS)										
Program	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	Appropriation	Budget Activity	BLI/SAG	Program Element
# of Ships	2	5	2	5	4	0	Shipbuilding & Conversion, Navy	05	5201	NA
Used Ships Funding	\$60	\$369.90	\$246.40	\$447.80	\$366.00		Shipbuilding & Conversion, Navy	05	5201	NA
<b>Total</b>	<b>\$60</b>	<b>\$369.90</b>	<b>\$246.40</b>	<b>\$447.80</b>	<b>\$366.00</b>					

**Changes to Existing Law:** This proposal would make the following changes to section 2218 of title 10, United States Code:

**§ 2218. National Defense Sealift Fund**

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the “National Defense Sealift Fund”.

\* \* \* \* \*

(f) LIMITATIONS.—(1) A vessel built in a foreign ship yard may not be purchased with funds in the National Defense Sealift Fund pursuant to subsection (c)(1), unless specifically authorized by law.

(2) Construction, alteration, or conversion of vessels with funds in the National Defense Sealift Fund pursuant to subsection (c)(1) shall be conducted in United States ship yards and shall be subject to section 1424(b) of Public Law 101-510 (104 Stat. 1683).

(3) (A) Notwithstanding the limitations in subsections (c)(1)(D) and (1), the Secretary of Defense may, as part of a program to recapitalize the Ready Reserve Force component of the National Defense Reserve Fleet and the Military Sealift Command surge fleet, purchase any used vessels, regardless of where such vessel was constructed if such vessel –

- (i) participated in the Maritime Security Fleet; and
- (ii) is available for purchase at a reasonable cost, as determined by the Secretary.

(B) If the Secretary determines that no used vessel meeting the requirements under clause (i) and (ii) of subparagraph (A) is available, the Secretary may purchase a used vessel comparable to a vessel described in clause (i) of subparagraph (A), regardless of the source of the vessel or where the vessel was constructed, if such vessel is available for purchase at a reasonable cost, as determined by the Secretary.

~~(C) The Secretary may not use the authority under this paragraph to purchase more than nine foreign constructed vessels.~~

~~(D)~~ (C) The Secretary shall ensure that the initial conversion, or modernization of any vessel purchased under the authority of subparagraph (A) occurs in a shipyard located in the United States.

~~(E) The Secretary may not use the authority under this paragraph to procure more than four foreign constructed vessels unless the Secretary submits to Congress, by not later than the second week of February of the fiscal year during which the Secretary plans to use such authority, a certification that—~~

~~(i) the Secretary has initiated an acquisition strategy for the construction in United States shipyards of not less than ten new vessels that are sealift vessels, auxiliary vessels, or a combination of such vessels; and~~

~~(ii) of such new vessels, the lead ship is anticipated to be delivered by not later than 2028.~~

(F) Not later than 30 days before the purchase of any vessel using the authority under this paragraph, the Secretary, in consultation with the Maritime Administrator, shall submit to the congressional defense committees a report that contains each of the following with respect to such purchase:

(i) The proposed date of the purchase.

(ii) The price at which the vessel would be purchased.

(iii) The anticipated cost of modernization of the vessel.

(iv) The proposed military utility of the vessel.

(v) The proposed date on which the vessel will be available for use by the Ready Reserve.

(vi) The contracting office responsible for the completion of the purchase.

(vii) Certification that—

(I) there was no vessel available for purchase at a reasonable price that was constructed in the United States; and

(II) the used vessel purchased supports the recapitalization of the Ready Reserve Force component of the National Defense Reserve Fleet or the Military Sealift Command surge fleet.

(viii) A detailed account of the criteria used to make the determination under subparagraph (B).

~~(G) The Secretary may not finalize or execute the final purchase of any vessel using the authority under this paragraph until 30 days after the date on which a report under subparagraph (F) is submitted with respect to such purchase.~~

\* \* \* \* \*

1 **SEC. \_\_\_\_ . ADMINISTRATIVE SUPPORT AND LIMITED PERSONNEL EXPENSES**  
2 **FOR CONTRIBUTING NATIONS FOR ARMISTICE SUPPORT IN**  
3 **KOREA.**

4 (a) IN GENERAL.—Subchapter IV of chapter 16 of title 10, United States Code, is  
5 amended by adding at the end the following new section:

6 **“§ 334. Provision of administrative support and payment of certain expenses for foreign**  
7 **defense personnel assigned to United States and United States-supported**  
8 **commands in the Republic of Korea**

9 “(a) IN GENERAL.—The Secretary of Defense may—

10 “(1) provide administrative services and support to the United Nations Command  
11 for the performance of duties by covered foreign defense personnel while the personnel  
12 are assigned to the United Nations Command, or assigned to the Neutral Nations  
13 Supervisory Commission in accordance with the Korean War Armistice Agreement of  
14 1953; and

15 “(2) pay the expenses described in subsection (b) for covered foreign defense  
16 personnel who are from a developing country and assigned to the Headquarters United  
17 Nations Command, if the assignment is requested by the commander of the United  
18 Nations Command.

19 “(b) TYPES OF EXPENSES.—The expenses described in this subsection are the following:

20 “(1) Travel and subsistence expenses directly related to the duties of the defense  
21 personnel in connection with the assignment of the defense personnel.

22 “(2) Personal expenses directly necessary to carry out the duties of the defense  
23 personnel in connection with that assignment.

1 “(3) Expenses for medical care at a military medical facility.

2 “(4) Expenses for medical care at a civilian medical facility if—

3 “(A) adequate medical care is not available to the defense personnel at a  
4 local military medical treatment facility;

5 “(B) the Secretary determines that payment of such medical expenses is  
6 necessary and in the best interests of the United States; and

7 “(C) medical care is not otherwise available to the defense personnel  
8 pursuant to a treaty or other international agreement.

9 “(5) Mission-related travel expenses if such travel is in direct support of the  
10 national interests of the United States and the commander of United Nations Command  
11 directs round-trip travel from the assigned headquarters to one or more locations.

12 “(c) REIMBURSEMENT.—The Secretary may provide the administrative services and  
13 support and pay the expenses authorized by subsection (a) with or without reimbursement.

14 “(d) DEFINITIONS.—In this section:

15 “(1) The term ‘administrative services and support’ means base or installation  
16 support services, facilities use, base operations support, office space, office supplies,  
17 utilities, copying services, computer support, communication services, fire and police  
18 protection, postal services, bank services, transportation services, housing and temporary  
19 billeting including ancillary services, specialized clothing required to perform assigned  
20 duties, temporary loan of special equipment, storage services, training services, and  
21 repair and maintenance services.

22 “(2) The term ‘covered foreign defense personnel’ means members of the armed  
23 forces of a foreign country—

1                           “(A) assigned to United Nations Command; or  
2                           “(B) assigned to the Neutral Nations Supervisory Commission.  
3                           “(3) The term ‘developing country’ has the meaning provided in section 301(4) of  
4 this title.  
5                           “(4) The term ‘Neutral Nations Supervisory Commission’ means the delegations  
6 from Sweden and Switzerland, or their successor delegations, appointed in accordance  
7 with the Korean War Armistice Agreement of 1953 or its subsequent agreements.  
8                           “(5) The term ‘United Nations Command’ means the Headquarters United  
9 Nations Command, the United Nations Command Military Armistice Commission, the  
10 United Nations Command-Rear, and the United Nations Command Honor Guard.”.

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

“334. Provision of administrative support and payment of certain expenses for foreign defense personnel assigned to United States and United States-supported commands in the Republic of Korea”.

**Section-by-Section Analysis**

This proposal would fill a gap in the United States’ ability to lead and administer the United Nations Command (UNC). Currently, DoD lacks affirmative legal authority to spend U.S. appropriated funds for unreimbursed logistical support to foreign military members assigned as staff officers to the UNC Staff, United Nations Command-Rear (UNC-R), the United Nations Command Military Armistice Commission (UNCMAC), the United Nations Command Honor Guard (UNC-HG), or the Neutral Nations Supervisory Commission (NNSC).

Foreign countries supporting UNC, also called “Sending States”, participate with UNC under the auspices of United Nations Security Council Resolution 84 (dated 7 July 1950), which asks countries of the UN to provide military forces to UNC to restore international peace and security on the Korean peninsula. Under the current UNC mission, these forces integrate into the UNC force structure as staff officers to plan and execute that mission, which is different from partner capacity-building programs involving foreign exchange or liaison officers.

Since 1975, the Department of the Army has been designated by the Chairman, Joint Chiefs of Staff, as the U.S. Executive Agent for logistical support for U.S. forces in UNC; however, no funds have been authorized or appropriated for logistical support to foreign forces in UNC. Historically, UNC Sending States provided or paid for their own logistical support

during hostilities and the early years following the Armistice. Soon thereafter, the U.S. military began providing unreimbursed logistical support to all foreign forces serving as part of the UNC. UNC operations are currently funded by USFK budgeted Operation and Maintenance, Army (OMA) appropriations. OMA appropriations are for paying the expenses, not otherwise provided for, needed for the current operations and maintenance of the U.S. forces, but not the foreign armed forces, of UNC.

Under U.S. law, appropriated funds may only be spent for purposes authorized by Congress. Congress has not authorized spending DoD funds to provide unreimbursed logistical support to foreign forces within UNC or NNSC. The only current applicable authorization for DoD to provide logistical support directly to foreign military forces in UNC (outside of the Foreign Military Sales process or the exchange/liaison programs authorized by 10 U.S.C. §§311-312) is on a fully reimbursable basis, through the use of existing Acquisition and Cross-Servicing Agreements. These authorities do not envision the situation of a Sending State staff officer integrated into U.S. command staff billets at all echelons of command from the Deputy Commander on down, in substantial numbers, and from a wide diversity of nations. These staff officers would not function as liaison officers or exchange officers, and would participate solely for the benefit of UNC, not for a capacity building or security cooperation purpose.

As such, this proposal includes: (1) the authority to provide broad administrative services and support (including housing, temporary duty (TDY) expenses, and daily operating costs) to NNSC and UNC foreign military forces; (2) the authority to provide subsistence and medical care to UNC foreign military forces from developing nations; and (3) the discretion to provide such logistical support on a reimbursed or unreimbursed basis. UNC relies on broad international commitment to maintain the Armistice and simultaneous readiness, if called upon, to receive, stage, and deploy Sending State forces in response to conflict on the Korean Peninsula. Providing unreimbursed logistical support benefits the U.S. in securing the participation of other countries in UNC/NNSC and enhances the operational capability of UNC in order to contribute to the defense of the Republic of Korea.

For purposes of this proposal, the term “developing country,” per 10 U.S.C. §301(4), section 1241(n) of the National Defense Authorization Act for Fiscal Year 2017, and the Under Secretary of Defense for Policy Memorandum of 15 May 2017 titled “Definition of ‘Developing Country’ for Security Cooperation Programs” would be defined as all low and middle income countries based on gross national income per capita as published annually in the World Bank list of economies.

**Budget Implications:** The resources impacted are reflected in the table below and are included within the Fiscal Year (FY) 2022 President's Budget request.

RESOURCE IMPACT (\$MILLIONS)									
Program	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Appropriation	Budget Activity	BLI/SAG	Program Element (for all RDT&E programs)

<b>HQ Operations</b>	<b>2.0</b>	<b>2.0</b>	<b>2.1</b>	<b>2.1</b>	<b>2.2</b>	<b>Operation and Maintenance, Army</b>	<b>04</b>	<b>441</b>	<b>NA</b>
<b>Total</b>	<b>2.0</b>	<b>2.0</b>	<b>2.1</b>	<b>2.1</b>	<b>2.2</b>	<b>Operation and Maintenance, Army</b>			<b>NA</b>

**Changes to Existing Law:** This proposal adds a new section 334 to title 10, United States Code, the full text of which is shown in the legislative language above.