

PENDING

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide that the 2005 base closure round shall apply solely to military installations located outside the United States and to provide for expedited consideration by Congress of a proposal for a base closure round in 2007 on military installations located inside the United States.

IN THE SENATE OF THE UNITED STATES—108th Cong., 2d Sess.

S. 2400

To aut	AMENDMENT No.	3158	ary
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cc	By <u>Lott</u>		art-
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	Page(s)		

GPO: 2002 83-247(Mac)

Referred to the Committee on _____
and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. ~~Dorgan~~ ^{Lott}

*(for himself,
Mr. Dorgan,
Snowe, Feinstein,
Cochran, Daschle*

Viz:

1 At the end of title XXVIII, add the following:

1 **Subtitle E—Defense Base Closure**
2 **and Realignment**

3 **SEC. 2861. MODIFICATION OF 2005 BASE CLOSURE ROUND**
4 **TO APPLY SOLELY TO MILITARY INSTALLA-**
5 **TIONS OUTSIDE THE UNITED STATES.**

6 The Defense Base Closure and Realignment Act of
7 1990 (part A of title XXIX of Public Law 101–510; 10
8 U.S.C. 2687 note) is amended by adding at the end the
9 following new section:

10 **“SEC. 2915. APPLICABILITY OF 2005 ROUND SOLELY TO**
11 **MILITARY INSTALLATIONS OUTSIDE THE**
12 **UNITED STATES.**

13 “(a) IN GENERAL.—(1) Notwithstanding any other
14 provision of this part, the military installations covered by
15 activities under this part in 2005 shall consist solely of
16 military installations outside the United States.

17 “(2) Except as otherwise provided in this section, for
18 purposes of activities under this part in 2005 any ref-
19 erence to military installations inside the United States
20 shall be deemed to be a reference to military installations
21 outside the United States.

22 “(b) INAPPLICABILITY OF SELECTION CRITERIA FOR
23 2005.—The final selection criteria prepared under section
24 2913 shall not be used in making recommendations for

1 the closure or realignment of military installations under
2 this part in 2005.

3 “(c) RECOMMENDATIONS OF SECRETARY OF DE-
4 FENSE.—(1) In lieu of any information otherwise required
5 under paragraph (1) or (2) of subsection (b) of section
6 2914, the recommendations of the Secretary of Defense
7 under subsection (a) of that section shall include the fol-
8 lowing:

9 “(A) A detailed plan for eliminating any phys-
10 ical capacity at military installations outside the
11 United States that requires the unnecessary diver-
12 sion of scarce resources for operation and mainte-
13 nance, sustainment, or recapitalization of such ca-
14 pacity.

15 “(B) A list of the military installations outside
16 the United States that are proposed for closure or
17 realignment under this part, and a schedule for the
18 closure or realignment of such installations.

19 “(C) A list of the military installations to which
20 personnel or equipment will be relocated from mili-
21 tary installations included in the list under subpara-
22 graph (B), including for each military installation so
23 listed, the new infrastructure to be required for such
24 personnel or equipment and the cost of such infra-
25 structure.

1 “(D) An estimate of the cost savings to be
2 achieved by the closure or realignment of military in-
3 stallations under subparagraph (B).

4 “(E) A certification whether or not a round in
5 2007 for the closure or realignment of military in-
6 stallations inside the United States is advisable.

7 “(2) In making recommendations referred to in para-
8 graph (1), the Secretary shall take into account the final
9 report of the Commission on the Review of the Overseas
10 Military Facility Structure of the United States under sec-
11 tion 128 of the Military Construction Appropriations Act,
12 2004 (Public Law 108-132; 117 Stat. 1382; 10 U.S.C.
13 111 note).

14 “(d) COMMISSION REVIEW AND RECOMMENDA-
15 TIONS.--(1) In addition to the requirements specified in
16 section 2914(d), the Commission shall include in its report
17 under paragraph (1) of that section the following:

18 “(A) An assessment by the Commission of the
19 extent to which the recommendations of the Sec-
20 retary under subsection (c) take into account the
21 final report referred to in subsection (c)(2).

22 “(B) An assessment by the Commission wheth-
23 er or not the recommendations of the Secretary
24 under subsection (c) maximize the amount of sav-
25 ings that can be achieved by the United States

1 through the closure or realignment of military instal-
2 lations outside the United States.

3 “(C) An assessment by the Commission wheth-
4 er or not a round in 2007 for the closure or realign-
5 ment of military installations inside the United
6 States is advisable.

7 “(2) Paragraph (5) of section 2914(d) shall not apply
8 to the review and recommendations of the Commission,
9 under such section and this subsection, of the rec-
10 ommendations of the Secretary under subsection (c).

11 “(c) COMPLETION OF CLOSURE OR REALIGNMENT
12 ACTIONS.—The closure or realignment of military instal-
13 lations outside the United States under this part pursuant
14 to activities under this part in 2005 shall be completed
15 not later than December 31, 2010.”.

16 **SEC. 2862. BASE CLOSURE ROUND IN 2007 RELATING TO IN-**
17 **STALLATIONS INSIDE THE UNITED STATES.**

18 (a) TWO-YEAR EXTENSION OF BASE CLOSURE LAW
19 FOR PURPOSES OF ROUND IN 2007.—Section 2909(a) of
20 the Defense Base Closure and Realignment Act of 1990
21 (part A of title XXIX of Public Law 101–510; 10 U.S.C.
22 2687 note) is amended by striking “April 15, 2006,” and
23 inserting “April 15, 2008,”.

24 (b) EXPEDITED CONSIDERATION BY CONGRESS OF
25 ROUND IN 2007.—That Act, as amended by section 2861

1 of this Act, is further amended by adding at the end the
2 following new section:

3 **“SEC. 2916. REQUIREMENTS AND LIMITATIONS ON BASE**
4 **CLOSURE ROUND IN 2007 RELATING TO IN-**
5 **STALLATIONS INSIDE THE UNITED STATES.**

6 “(a) EXPEDITED CONSIDERATION BY CONGRESS OF
7 AUTHORIZATION FOR ROUND.—The consideration by
8 Congress of a joint resolution for a round of defense base
9 closure and realignment under this part in 2007 relating
10 to military installations inside the United States shall be
11 governed by the provisions of section 2908.

12 “(b) JOINT RESOLUTION.—For purposes of this sec-
13 tion and the application of section 2908 to the joint resolu-
14 tion referred to in subsection (a), the term ‘joint resolu-
15 tion’ means a joint resolution which is introduced within
16 the 10-day period beginning on the date in 2005 on which
17 the President transmits to Congress an approval and cer-
18 tification described in paragraph (2) or (4) of section
19 2903(e) in accordance with section 2914(e), and—

20 “(1) which does not have a preamble;

21 “(2) the matter after the resolving clause of
22 which is as follows: ‘That a round of defense base
23 closure and realignment is authorized to occur under
24 the Defense Base Closure and Realignment Act of
25 1990 (part A of title XXIX of Public Law 101–510;

1 10 U.S.C. 2687 note) in 2007, with such round to
2 apply to military installations inside the United
3 States'; and

4 “(3) the title of which is as follows: ‘Joint Res-
5 olution to authorize a round of defense base closure
6 and realignment in 2007 with respect to military in-
7 stallations inside the United States.’.

8 “(c) CRITERIA AND SCHEDULE FOR 2007 ROUND.—
9 Not later than 15 days after the date of the enactment
10 of the joint resolution, the Secretary of Defense shall pub-
11 lish in the Federal Register the following:

12 “(1) The selection criteria to be utilized in the
13 round of defense base closure and realignment under
14 this part in 2007, which criteria shall be the final
15 selection criteria developed under section 2913(e),
16 together with such modifications of such final selec-
17 tion criteria as the Secretary considers appropriate
18 in light of changes in circumstances since March 15,
19 2004.

20 “(2) The schedule in 2007 for actions on rec-
21 ommendations and consideration of recommenda-
22 tions in the round of defense base closure and re-
23 alignment under this part under section 2914, which
24 schedule shall, to the maximum extent practicable,
25 be the schedule for 2005 as specified under that sec-

1 tion together with such modifications as the Sec-
2 retary considers appropriate to take into account
3 changes in the calendar between 2005 and 2007.”.