

**AMENDMENT TO H.R. 4435, AS REPORTED  
OFFERED BY MR. SMITH OF WASHINGTON**

Strike sections 2711 and 2721.

At the end of division B, add the following new title:

1 **TITLE XXX—ADDITIONAL BASE**  
2 **REALIGNMENT AND CLOSURE**  
3 **(BRAC) ROUND IN 2017**

4 **SEC. 3001. SHORT TITLE; PURPOSE; FINDINGS.**

5 (a) **SHORT TITLE.**—This title may be cited as the  
6 “Defense Base Closure and Realignment Act of 2014”.

7 (b) **PURPOSE.**—The purpose of this title is to provide  
8 a fair and transparent process that will result in the timely  
9 closure and realignment of military installations inside the  
10 United States.

11 (c) **FINDINGS.**—Congress makes the following find-  
12 ings:

13 (1) By implementing the recommendations of  
14 the previous authorized base realignment and closure  
15 (BRAC) rounds (1988, 1991, 1993, 1995, and  
16 2005), the Department of Defense has realized a  
17 combined annual net recurring savings of approxi-  
18 mately \$12 billion.

1           (2) While the most recent BRAC round is often  
2 criticized for costing too much and not saving  
3 enough, the majority of the recommendations of the  
4 2005 BRAC round were focused on transformation  
5 rather than efficiency or closure.

6           (3) According to the Department of Defense,  
7 the efficiency-related recommendations of the 2005  
8 BRAC round cost \$6 billion, compared to the \$35  
9 billion total cost of the 2005 BRAC round, and re-  
10 sulted in an annual recurring payback of \$3 billion,  
11 which is consistent with the costs and savings of  
12 previous BRAC rounds.

13           (4) A future BRAC round must look more like  
14 the 1988, 1991, 1993, and 1995 BRAC rounds, or  
15 like the efficiency-related elements of the 2005  
16 BRAC round, in terms of costs and annual recurring  
17 savings.

18           (5) In 2004, before implementing the rec-  
19 ommendations of the 2005 BRAC round, a Depart-  
20 ment of Defense assessment indicated an aggregate  
21 excess infrastructure capacity for the Armed Forces  
22 of approximately 24 percent, but implementation of  
23 the recommendations of the 2005 BRAC round only  
24 reduced the infrastructure capacity by approximately  
25 3 percent.

1           (6) In prepared testimony to Congress in March  
2           2014, the Army indicated that it has completed ini-  
3           tial efforts to analyze facility capacity to determine  
4           the current amount of excess capacity in light of  
5           force structure decisions, and preliminary results in-  
6           dicate that the Army will have nearly 18 percent ex-  
7           cess capacity, totaling over 167 million square feet  
8           of facilities.

9           (7) Similarly, the Air Force testified regarding  
10          a reduction of more than 500 aircraft and 8 percent  
11          of active-duty end strength since the 2005 BRAC  
12          round, in which the Air Force only closed eight  
13          minor installations despite the 2004 analysis indi-  
14          cating the Air Force had 25 percent excess infra-  
15          structure capacity.

16          (8) The amount of excess infrastructure capac-  
17          ity that remains following the 2005 BRAC round,  
18          combined with the force structure reductions that  
19          are either planned or have occurred since the 2005  
20          round, indicates the Department of Defense con-  
21          tinues to have excess infrastructure capacity.

22          (9) While the Department of Defense has re-  
23          quested an additional BRAC round, the Department  
24          has already undertaken a number of initiatives to re-  
25          duce the Department's overseas footprint, including

1 the relocation and consolidation of United States fa-  
2 cilities in Japan and Korea and the conduct of the  
3 European Infrastructure Consolidation review, which  
4 will build on previous initiatives that have reduced  
5 the number of United States military sites in Eu-  
6 rope by 30 percent since 2000.

7 (10) In a time when the Department of Defense  
8 is facing significant budget pressures, the Depart-  
9 ment is being required to expend valuable resources  
10 to maintain infrastructure capacity in excess of De-  
11 partment requirements instead of investing these  
12 valuable resources in meeting urgent readiness and  
13 training requirements or other priorities within the  
14 Department of Defense.

15 (11) In a time when the Department of Defense  
16 needs to reduce excess infrastructure capacity and  
17 realize efficiencies in its real property inventory, a  
18 new BRAC round provides the most transparent  
19 means to do so while also affording an independent  
20 commission, Congress, and community groups a sig-  
21 nificant voice and role in the process.

22 **SEC. 3002. DEFENSE BASE CLOSURE AND REALIGNMENT**  
23 **COMMISSION OF 2017.**

24 (a) ESTABLISHMENT.—Subject to the certifications  
25 required under section 3003(b)—

1           (1) there is established an independent commis-  
2           sion to be known as the “Defense Base Closure and  
3           Realignment Commission of 2017”; and

4           (2) the President may commence a round for  
5           the selection of military installations for closure and  
6           realignment under this title in 2017 by transmitting  
7           to the Senate, not later than February 1, 2017,  
8           nominations for appointment to the Commission.

9           (b) APPOINTMENT.—(1)(A) The Commission shall be  
10          composed of nine members appointed by the President, by  
11          and with the advice and consent of the Senate.

12          (B) If the President does not transmit to Congress  
13          the nominations for appointment to the Commission on  
14          or before the date specified in subsection (a)(2), the proc-  
15          ess by which military installations may be selected for clo-  
16          sure or realignment under this title shall be terminated.

17          (2) In appointing individuals to serve on the Commis-  
18          sion, the President shall give priority consideration to indi-  
19          viduals who—

20                 (A) have a demonstrated expertise regarding  
21                 the current and future operational and training re-  
22                 quirements of the Armed Forces, military installa-  
23                 tion infrastructure and environmental management,  
24                 or the socioeconomic impact of military installations  
25                 on local communities; and

1           (B) have not served on such a commission for  
2           a previous BRAC round.

3           (3) In selecting individuals for nominations for ap-  
4           pointments to the Commission, the President should con-  
5           sult with—

6           (A) the Speaker of the House of Representa-  
7           tives concerning the appointment of two members;

8           (B) the majority leader of the Senate con-  
9           cerning the appointment of two members;

10           (C) the minority leader of the House of Rep-  
11           resentatives concerning the appointment of one  
12           member; and

13           (D) the minority leader of the Senate con-  
14           cerning the appointment of one member.

15           (4) At the time the President nominates individuals  
16           for appointment to the Commission, the President shall  
17           designate one such individual who shall serve as Chairman  
18           of the Commission.

19           (c) DUTIES.—The Commission shall carry out the  
20           duties specified for it in this title.

21           (d) TERMS.—(1) Each member of the Commission  
22           shall serve until the termination of the Commission as pro-  
23           vided in subsection (j).

24           (2) A vacancy in the Commission shall be filled in  
25           the same manner as the original appointment.

1 (e) MEETINGS.—(1) The Commission shall meet only  
2 during calendar year 2017.

3 (2)(A) Each meeting of the Commission, other than  
4 meetings in which classified information is to be discussed,  
5 shall be open to the public.

6 (B) All the proceedings, information, and delibera-  
7 tions of the Commission shall be open, upon request, to  
8 the following:

9 (i) The chairmen and the ranking members of  
10 the Committees on Armed Services of the Senate  
11 and the House of Representatives, or such other  
12 members of the Committees designated by such  
13 Chairmen or ranking members.

14 (ii) The chairmen and ranking members of the  
15 Subcommittees on Military Construction, Veterans  
16 Affairs, and Related Agencies of the Committees on  
17 Appropriations of the Senate and the House of Rep-  
18 resentatives, or such other members of the sub-  
19 committees designated by such Chairmen or ranking  
20 members.

21 (iii) The chairmen and ranking members of the  
22 Subcommittees on Defense of the Committees on  
23 Appropriations of the Senate and the House of Rep-  
24 resentatives, or such other members of the sub-

1           committees designated by such chairmen or ranking  
2           members.

3           (C) A member of the Commission shall recuse himself  
4           or herself from consideration of a matter before the Com-  
5           mission, in accordance with section 208 of title 18, United  
6           States Code. In addition, a member of the Commission  
7           shall recuse himself or herself from consideration of a mat-  
8           ter before the Commission in the event that the member  
9           is concerned that other circumstances would raise a ques-  
10          tion regarding the legitimacy and impartiality of the Com-  
11          mission's final recommendations. In recusing himself or  
12          herself from consideration of a matter, the member shall  
13          not participate in the deliberations on, or vote regarding,  
14          such a matter.

15          (f) PAY AND TRAVEL EXPENSES.—(1)(A) Each  
16          member, other than the Chairman, shall be paid at a rate  
17          equal to the daily equivalent of the minimum annual rate  
18          of basic pay payable for level IV of the Executive Schedule  
19          under section 5315 of title 5, United States Code, for each  
20          day (including travel time) during which the member is  
21          engaged in the actual performance of duties vested in the  
22          Commission.

23          (B) The Chairman shall be paid for each day referred  
24          to in subparagraph (A) at a rate equal to the daily equiva-  
25          lent of the minimum annual rate of basic pay payable for



1 level III of the Executive Schedule under section 5314,  
2 of title 5, United States Code.

3 (2) Members shall receive travel expenses, including  
4 per diem in lieu of subsistence, in accordance with sections  
5 5702 and 5703 of title 5, United States Code.

6 (g) STAFF.—(1)(A) The Commission shall appoint,  
7 without regard to section 5311 of title 5, United States  
8 Code, a Director who has not served on active duty in the  
9 Armed Forces or as a civilian employee of the Department  
10 of Defense during the one-year period preceding the date  
11 of such appointment.

12 (B) The Director shall be paid at the rate of basic  
13 pay payable for level IV of the Executive Schedule under  
14 section 5315 of title 5, United States Code.

15 (2) Subject to the approval of the Commission, the  
16 Director may appoint and fix the pay of additional staff  
17 personnel. The Director may make such appointments  
18 without regard to the provisions of title 5, United States  
19 Code, governing appointments in the competitive service,  
20 and any personnel so appointed may be paid without re-  
21 gard to the provisions of chapter 51 and subchapter III  
22 of chapter 53 of that title relating to classification and  
23 General Schedule pay rates, except that an individual so  
24 appointed may not receive pay in excess of the annual rate  
25 of basic pay payable for GS-15 of the General Schedule.

1           (3)(A) Not more than one-third of the personnel em-  
2 ployed by or detailed to the Commission may be on detail  
3 from the Department of Defense.

4           (B)(i) Not more than one-fifth of the professional an-  
5 alysts of the Commission staff may be persons detailed  
6 from the Department of Defense to the Commission.

7           (ii) No person detailed from the Department of De-  
8 fense to the Commission may be assigned as the lead pro-  
9 fessional analyst with respect to a military department or  
10 defense agency.

11          (C) A person may not be detailed from the Depart-  
12 ment of Defense to the Commission if, within 12 months  
13 before the detail is to begin, that person participated per-  
14 sonally and substantially in any matter within the Depart-  
15 ment of Defense concerning the preparation of rec-  
16 ommendations for closures or realignments of military in-  
17 stallations.

18          (D) No member of the Armed Forces, and no officer  
19 or employee of the Department of Defense, may—

20               (i) prepare any report concerning the effective-  
21 ness, fitness, or efficiency of the performance on the  
22 staff of the Commission of any person detailed from  
23 the Department of Defense to that staff;

24               (ii) review the preparation of such a report; or

25               (iii) approve or disapprove such a report.

1           (4) Upon request of the Director, the head of any  
2 Federal department or agency may detail any of the per-  
3 sonnel of that department or agency to the Commission  
4 to assist the Commission in carrying out its duties under  
5 this title.

6           (5) The Comptroller General of the United States  
7 shall provide assistance, including the detailing of employ-  
8 ees, to the Commission in accordance with an agreement  
9 entered into with the Commission.

10          (6) Not later than April 1, 2017, the Chairman of  
11 the Commission shall certify to the congressional defense  
12 committees whether the Commission's staff has adequate  
13 capacity to review the recommendations to be submitted  
14 by the Secretary of Defense pursuant to section 3003.

15          (7) The following restrictions relating to the staff of  
16 the Commission shall apply during the period beginning  
17 January 1, 2018, and ending April 15, 2018:

18               (A) There may not be more than 15 persons on  
19 the staff at any one time.

20               (B) The staff may perform only such functions  
21 as are necessary to prepare for the termination of  
22 the commission and transfer of all records to the  
23 Department of Defense or the National Archives.

1 (C) No member of the Armed Forces and no  
2 employee of the Department of Defense may serve  
3 on the staff.

4 (h) OTHER AUTHORITY.—(1) The Commission may  
5 procure by contract, to the extent funds are available, the  
6 temporary or intermittent services of experts or consult-  
7 ants pursuant to section 3109 of title 5, United States  
8 Code.

9 (2) The Commission may lease space and acquire per-  
10 sonal property to the extent funds are available.

11 (i) TERMINATION.—The Commission shall terminate  
12 on April 15, 2018.

13 (j) PROHIBITION AGAINST RESTRICTING COMMU-  
14 NICATIONS.—Section 1034 of title 10, United States  
15 Code, shall apply with respect to communications with the  
16 Commission.

17 **SEC. 3003. PROCEDURE FOR MAKING RECOMMENDATIONS**  
18 **FOR BASE CLOSURES AND REALIGNMENTS.**

19 (a) FORCE-STRUCTURE PLAN AND INFRASTRUCTURE  
20 INVENTORY.—

21 (1) PREPARATION AND SUBMISSION.—As part  
22 of the budget justification documents submitted to  
23 Congress in support of the budget for the Depart-  
24 ment of Defense for fiscal year 2017, the Secretary  
25 shall submit to Congress the following:

1           (A) A force-structure plan for the Armed  
2           Forces based on an assessment by the Sec-  
3           retary of the probable threats to the national  
4           security during the 20-year period beginning  
5           with that fiscal year, the probable end-strength  
6           levels and major military force units (including  
7           land force divisions, carrier and other major  
8           combatant vessels, air wings, and other com-  
9           parable units) needed to meet these threats,  
10          and the anticipated levels of funding that will  
11          be available for national defense purposes dur-  
12          ing such period.

13          (B) A comprehensive inventory of military  
14          installations world-wide for each military de-  
15          partment, with specifications of the number and  
16          type of facilities in the regular and reserve  
17          forces of each military department.

18          (2) RELATIONSHIP OF PLAN AND INVEN-  
19          TORY.—Using the force-structure plan and infra-  
20          structure inventory prepared under paragraph (1),  
21          the Secretary shall prepare (and include as part of  
22          the submission of such plan and inventory) the fol-  
23          lowing:

1 (A) A description of the infrastructure nec-  
2 essary to support the force structure described  
3 in the force-structure plan.

4 (B) A discussion of categories of excess in-  
5 frastructure and infrastructure capacity.

6 (C) An economic analysis of the effect of  
7 the closure or realignment of military installa-  
8 tions to reduce excess infrastructure.

9 (3) SPECIAL CONSIDERATIONS.—In determining  
10 the level of necessary versus excess infrastructure  
11 under paragraph (2), the Secretary shall consider  
12 the following:

13 (A) The anticipated continuing need for  
14 and availability of military installations outside  
15 the United States, taking into account current  
16 restrictions on the use of military installations  
17 outside the United States and the potential for  
18 future prohibitions or restrictions on the use of  
19 such military installations.

20 (B) Any efficiencies that may be gained  
21 from joint tenancy by more than one branch of  
22 the Armed Forces at a military installation.

23 (4) REVISION.—The Secretary may revise the  
24 force-structure plan and infrastructure inventory, ex-  
25 cept that, if the Secretary makes such a revision, the

1 Secretary shall submit the revised plan or inventory  
2 to Congress not later than February 15, 2017. For  
3 purposes of selecting military installations for clo-  
4 sure or realignment under this title, no revision of  
5 the force-structure plan or infrastructure inventory  
6 is authorized after that date.

7 (b) CERTIFICATION OF NEED FOR FURTHER CLO-  
8 SURES AND REALIGNMENTS.—

9 (1) CERTIFICATIONS REQUIRED.—On the basis  
10 of the force-structure plan and infrastructure inven-  
11 tory prepared under subsection (a) and the descrip-  
12 tions and economic analysis prepared under para-  
13 graph (2) of such subsection, the Secretary shall in-  
14 clude as part of the submission of the plan and in-  
15 ventory—

16 (A) a certification regarding whether the  
17 need exists for the closure or realignment of ad-  
18 ditional military installations; and

19 (B) if such need exists, an additional cer-  
20 tification that the additional round of closures  
21 and realignments—

22 (i) will result in annual net savings  
23 for each of the military departments begin-  
24 ning not later than six years following the

1 commencement of such closures and re-  
2 alignments; and

3 (ii) will have the primary objective of  
4 eliminating excess infrastructure capacity  
5 within the Department of Defense and re-  
6 configuring the remaining infrastructure to  
7 maximize efficiency.

8 (2) EFFECT OF FAILURE TO CERTIFY.—If the  
9 Secretary does not include the certifications referred  
10 to in paragraph (1), the President may not com-  
11 mence a round for the selection of military installa-  
12 tions for closure and realignment under this title.

13 (c) COMPTROLLER GENERAL EVALUATION.—

14 (1) EVALUATION REQUIRED.—If the certifi-  
15 cation is provided under subsection (b), the Comp-  
16 troller General of the United States shall prepare an  
17 evaluation of the following:

18 (A) The force-structure plan and infra-  
19 structure inventory prepared under subsection  
20 (a) and the final selection criteria specified in  
21 subsection (d), including an evaluation of the  
22 accuracy and analytical sufficiency of such plan,  
23 inventory, and criteria.

24 (B) The need for the closure or realign-  
25 ment of additional military installations.



1           (2) SUBMISSION.—The Comptroller General  
2           shall submit the evaluation to Congress not later  
3           than 60 days after the date on which the force-  
4           structure plan and infrastructure inventory are sub-  
5           mitted to Congress.

6           (d) FINAL SELECTION CRITERIA.—The final criteria  
7           to be used by the Secretary in making recommendations  
8           for the closure or realignment of military installations in-  
9           side the United States under this title shall be following:

10           (1) MILITARY VALUE CRITERIA.—The military  
11           value criteria are as follows:

12                   (A) The current and future mission capa-  
13                   bilities, the ability to support technological in-  
14                   novation, and the impact on operational readi-  
15                   ness of the total force of the Department of De-  
16                   fense, including the impact on joint warfighting,  
17                   training, and readiness.

18                   (B) The availability and condition of land,  
19                   facilities, and associated airspace (including  
20                   training areas suitable for maneuver by ground,  
21                   naval, or air forces throughout a diversity of cli-  
22                   mate and terrain areas and staging areas for  
23                   the use of the Armed Forces in homeland de-  
24                   fense missions) at both existing and potential  
25                   receiving locations.

1 (C) The ability to accommodate contin-  
2 gency, mobilization, surge, and future total  
3 force requirements at both existing and poten-  
4 tial receiving locations to support operations  
5 and training.

6 (D) The cost of operations and the man-  
7 power implications.

8 (2) ADDITIONAL CRITERIA.—The additional cri-  
9 teria are as follows:

10 (A) The extent and timing of potential  
11 costs and savings, including the number of  
12 years, beginning with the date of completion of  
13 the closure or realignment, for the savings to  
14 exceed the costs.

15 (B) The economic impact on existing com-  
16 munities in the vicinity of military installations.

17 (C) The ability of the infrastructure of  
18 both the existing and potential receiving com-  
19 munities to support forces, missions, and per-  
20 sonnel.

21 (D) The environmental impact, including  
22 the impact of costs related to potential environ-  
23 mental restoration, waste management, and en-  
24 vironmental compliance activities.

25 (e) APPLICATION OF THE CRITERIA.—

1           (1) PRIORITIES.—In the making of rec-  
2           ommendations for the closure or realignment of mili-  
3           tary installations, the Secretary shall give priority  
4           consideration—

5                   (A) to the military value criteria, as speci-  
6                   fied in subsection (d)(1); and

7                   (B) the potential costs and savings, as  
8                   specified in subsection (d)(2)(A).

9           (2) TIME-PERIOD FOR ACHIEVING SAVINGS.—  
10           An emphasis shall be placed on recommendations  
11           that yield net-savings within five years of completing  
12           the closure or realignment. No recommendations  
13           shall be considered that do not demonstrate net sav-  
14           ings within 20 years, unless the Secretary deter-  
15           mines that the military value of such recommenda-  
16           tion supports or enhances a critical national security  
17           interest of the United States.

18           (3) COVERED COSTS.—When determining the  
19           costs associated with a closure or realignment rec-  
20           ommendation, the Secretary shall consider costs as-  
21           sociated with military construction, information  
22           technology, termination of public-private contracts,  
23           guarantees, and other factors contributing to the  
24           cost of the closure or realignment recommendation,  
25           as determined by the Secretary.

1           (4) EFFECT ON DEPARTMENT AND OTHER  
2 AGENCY COSTS.—The selection criteria relating to  
3 the cost savings or return on investment from a clo-  
4 sure or realignment recommendation shall take into  
5 account the effect of the proposed closure or realign-  
6 ment on the costs of any other activity of the De-  
7 partment of Defense or any other Federal agency  
8 that may be required to assume responsibility for ac-  
9 tivities at a military installation.

10           (5) CONSIDERATION OF ALL INSTALLATIONS.—  
11 In considering military installations for closure or  
12 realignment, the Secretary shall consider all military  
13 installations inside the United States equally without  
14 regard to whether the installation has been pre-  
15 viously considered or proposed for closure or realign-  
16 ment by the Department.

17           (6) EFFECT OF ADVANCE CONVERSION PLAN-  
18 NING.—In considering military installations for clo-  
19 sure or realignment, the Secretary may not take into  
20 account for any purpose any advance conversion  
21 planning undertaken by an affected community with  
22 respect to the anticipated closure or realignment of  
23 an installation. For purposes of this subparagraph,  
24 advance conversion planning—

1 (A) shall include community adjustment  
2 and economic diversification planning under-  
3 taken by the community before an anticipated  
4 selection of a military installation in or near the  
5 community for closure or realignment; and

6 (B) may include the development of contin-  
7 gency redevelopment plans, plans for economic  
8 development and diversification, and plans for  
9 the joint use (including civilian and military  
10 use, public and private use, civilian dual use,  
11 and civilian shared use) of the property or fa-  
12 cilities of the installation after the anticipated  
13 closure or realignment.

14 (7) EFFECT OF LOCAL GOVERNMENT AP-  
15 PROVAL.—In making recommendations to the Com-  
16 mission, the Secretary shall consider any notice re-  
17 ceived from a local government in the vicinity of a  
18 military installation that the government would ap-  
19 prove of the closure or realignment of the installa-  
20 tion, except that, notwithstanding receiving such a  
21 notice, the Secretary—

22 (A) still shall make recommendations  
23 based on the force-structure plan, infrastruc-  
24 ture inventory, and final selection criteria; and

1 (B) shall include a statement of the result  
2 of the consideration of such a notice.

3 (f) RELATION TO OTHER MATERIALS.—The final se-  
4 lection criteria specified in this section shall be the only  
5 criteria used, along with the force-structure plan and in-  
6 frastructure inventory referred to in subsection (a), in  
7 making recommendations for the closure or realignment  
8 of military installations inside the United States under  
9 this title.

10 (g) DOD RECOMMENDATIONS.—

11 (1) PUBLICATION AND TRANSMITTAL OF REC-  
12 OMMENDATIONS.—If the Secretary makes the certifi-  
13 cations required under subsection (b), then not later  
14 than April 15, 2017, the Secretary shall publish in  
15 the Federal Register and transmit to the congres-  
16 sional defense committees and to the Commission a  
17 list of the military installations inside the United  
18 States that the Secretary recommends for closure or  
19 realignment on the basis of the force-structure plan  
20 and infrastructure inventory prepared by the Sec-  
21 retary under subsection (a) and the final selection  
22 criteria specified in subsection (d).

23 (2) TRANSMITTAL OF ADDITIONAL MATE-  
24 RIALS.—Not later than 7 days after the date of the  
25 transmittal of the list of recommendations under

1 paragraph (1), the Secretary also shall transmit to  
2 the congressional defense committees and the Com-  
3 mission the following:

4 (A) A summary of the selection process  
5 that resulted in the recommendation for each  
6 installation, including a justification for each  
7 recommendation based on the selection criteria  
8 under subsection (d).

9 (B) A master plan for each recommenda-  
10 tion containing the required scope of work, cost,  
11 and timing for all facility actions at receiving  
12 locations, including construction of new facili-  
13 ties and repair or renovation of existing facili-  
14 ties.

15 (3) AVAILABILITY OF INFORMATION.—(A) In  
16 addition to making all information used by the Sec-  
17 retary to prepare the recommendations under this  
18 subsection available to Congress (including any com-  
19 mittee or Member of Congress), the Secretary shall  
20 also make such information available to the Commis-  
21 sion, the Comptroller General of the United States,  
22 and to the public by means of the Internet or an-  
23 other electronic format.

24 (B) The information covered by subparagraph  
25 (A) includes, but not limited to, unclassified assess-

1       ment data on the current condition of facilities and  
2       infrastructure, an environmental baseline of known  
3       contamination and remediation activities, and stand-  
4       ard rules used to calculate annual recurring savings.

5           (C) Any and all information provided to the  
6       Commission by a person described in paragraph  
7       (4)(B) shall also be make available for the public  
8       record and be submitted in written form to the Sen-  
9       ate and the House of Representatives, to be made  
10      available to the Members of the House concerned in  
11      accordance with the rules of that House. The infor-  
12      mation shall be submitted to the Senate and House  
13      of Representatives within 48 hours after the submis-  
14      sion of the information to the Commission.

15           (4) CERTIFICATION OF ACCURACY AND COM-  
16      PLETENESS OF INFORMATION.—(A) Each person re-  
17      ferred to in subparagraph (B), when submitting in-  
18      formation to the Secretary of Defense or the Com-  
19      mission concerning the closure or realignment of a  
20      military installation, shall certify that such informa-  
21      tion is accurate and complete to the best of that per-  
22      sons knowledge and belief.

23           (B) Subparagraph (A) applies to the following  
24      persons:



1 (i) The Secretaries of the military depart-  
2 ments.

3 (ii) The heads of the Defense Agencies.

4 (iii) Each person who is in a position the  
5 duties of which include personal and substantial  
6 involvement in the preparation and submission  
7 of information and recommendations concerning  
8 the closure or realignment of military installa-  
9 tions, as designated in regulations which the  
10 Secretary of Defense shall prescribe, regulations  
11 which the Secretary of each military depart-  
12 ment shall prescribe for personnel within that  
13 military department, or regulations which the  
14 head of each Defense Agency shall prescribe for  
15 personnel within that Defense Agency.

16 (h) REVIEW AND RECOMMENDATIONS BY THE COM-  
17 MISSION.—

18 (1) PUBLIC HEARING AND TESTIMONY.—After  
19 receiving the recommendations from the Secretary  
20 pursuant to subsection (g), the Commission shall  
21 conduct public hearings on the recommendations. All  
22 testimony before the Commission at a public hearing  
23 conducted under this paragraph shall be presented  
24 under oath.

1           (2) REPORT.—(A) Not later than October 1,  
2           2017, the Commission shall transmit to the Presi-  
3           dent a report containing the Commission’s findings  
4           and conclusions based on a review and analysis of  
5           the recommendations made by the Secretary, to-  
6           gether with the Commission’s recommendations for  
7           closures and realignments of military installations  
8           inside the United States.

9           (B) Subject to subparagraphs (C) and (E), in  
10          making its recommendations, the Commission may  
11          make changes in any of the recommendations made  
12          by the Secretary if the Commission determines that  
13          the Secretary deviated substantially from the force-  
14          structure plan and final criteria referred to in sub-  
15          section (d) in making recommendations.

16          (C) In the case of a change described in sub-  
17          paragraph (D) in the recommendations made by the  
18          Secretary, the Commission may make the change  
19          only if—

20                 (i) the Commission—

21                         (I) makes the determination required  
22                         by subparagraph (B);

23                         (II) determines that the change is  
24                         consistent with the force-structure plan

1 and final criteria referred to in subsection  
2 (d);

3 (III) publishes a notice of the pro-  
4 posed change in the Federal Register not  
5 less than 45 days before transmitting its  
6 recommendations to the President pursu-  
7 ant to subparagraph (A); and

8 (IV) conducts public hearings on the  
9 proposed change;

10 (ii) at least two members of the Commis-  
11 sion visit the military installation before the  
12 date of the transmittal of the report; and

13 (iii) the decision of the Commission to  
14 make the change is supported by at least seven  
15 members of the Commission.

16 (D) Subparagraph (C) shall apply to a change  
17 by the Commission in the Secretary's recommenda-  
18 tions that would—

19 (i) add a military installation to the list of  
20 military installations recommended by the Sec-  
21 retary for closure;

22 (ii) add a military installation to the list of  
23 military installations recommended by the Sec-  
24 retary for realignment; or

1                   (iii) increase the extent of a realignment of  
2                   a particular military installation recommended  
3                   by the Secretary.

4                   (E) The Commission may not consider making  
5                   a change in the recommendations of the Secretary  
6                   that would add a military installation to the Sec-  
7                   retary's list of installations recommended for closure  
8                   or realignment unless, in addition to the require-  
9                   ments of subparagraph (C)—

10                   (i) the Commission provides the Secretary  
11                   with at least a 15-day period, before making  
12                   the change, in which to submit an explanation  
13                   of the reasons why the installation was not in-  
14                   cluded on the closure or realignment list by the  
15                   Secretary; and

16                   (ii) the decision to add the installation for  
17                   Commission consideration is supported by at  
18                   least seven members of the Commission.

19                   (F) In making recommendations under this  
20                   paragraph, the Commission may not take into ac-  
21                   count for any purpose any advance conversion plan-  
22                   ning undertaken by an affected community with re-  
23                   spect to the anticipated closure or realignment of a  
24                   military installation.

1           (G) In the case of the Commission making a  
2           change in the recommendations of the Secretary, for  
3           each change, a master plan containing the required  
4           scope of work, cost, and timing for all facility ac-  
5           tions at receiving locations, including construction of  
6           new facilities and repair or renovation of existing fa-  
7           cilities shall be updated or developed in coordination  
8           with the Secretary.

9           (3) EXPLANATION OF DIFFERENCES; SUBMIS-  
10          SION.—The Commission shall explain and justify in  
11          its report submitted to the President pursuant to  
12          paragraph (2) any recommendation made by the  
13          Commission that is different from the recommenda-  
14          tions made by the Secretary pursuant to subsection  
15          (g). The Commission shall transmit a copy of such  
16          report to the congressional defense committees on  
17          the same date on which it transmits its rec-  
18          ommendations to the President under paragraph (2).

19          (4) PROVISION OF INFORMATION.—After the  
20          Commission transmits recommendations to the  
21          President under this subsection, the Commission  
22          shall promptly provide, upon request, to any Member  
23          of Congress information used by the Commission in  
24          making its recommendations.

1           (5)   COMPROLLER   GENERAL   ROLE.—The  
2   Comptroller General of the United States shall—

3           (A) assist the Commission, to the extent  
4           requested, in the Commission’s review and anal-  
5           ysis of the recommendations made by the Sec-  
6           retary pursuant to subsection (g); and

7           (B) by no later than June 1, 2017, trans-  
8           mit to the Congress and to the Commission a  
9           report containing a detailed analysis of the Sec-  
10          retary’s recommendations and selection process.

11       (i) REVIEW BY THE PRESIDENT.—

12           (1) APPROVAL OR DISAPPROVAL REPORT.—Not  
13          later than October 15, 2017, the President shall  
14          transmit to the Commission and to Congress a re-  
15          port containing the President’s approval or dis-  
16          approval of the Commission’s recommendations.

17           (2) EFFECT OF APPROVAL.—(A) If the Presi-  
18          dent approves all the recommendations of the Com-  
19          mission, the President shall transmit a copy of such  
20          recommendations to the Congress, together with a  
21          certification of such approval.

22           (B) If the President approves all of the revised  
23          recommendations of the Commission transmitted to  
24          the President under paragraph (3), the President  
25          shall transmit a copy of such revised recommenda-

1 tions to the Congress, together with a certification  
2 of such approval.

3 (3) EFFECT OF DISAPPROVAL; REVISION.—If  
4 the President disapproves the recommendations of  
5 the Commission, in whole or in part, the President  
6 shall transmit to the Commission and the Congress  
7 the reasons for that disapproval. The Commission  
8 shall then transmit to the President, by no later  
9 than November 18, 2017, a revised list of rec-  
10 ommendations for the closure and realignment of  
11 military installations.

12 (4) TERMINATION OF BRAC ROUND.—If the  
13 President does not transmit to the Congress an ap-  
14 proval and certification described in paragraph (2)  
15 by December 2, 2017, the process by which military  
16 installations may be selected for closure or realign-  
17 ment under this title shall be terminated.

18 **SEC. 3004. CLOSURE AND REALIGNMENT OF MILITARY IN-**  
19 **STALLATIONS.**

20 (a) IN GENERAL.—Subject to subsection (b), the Sec-  
21 retary shall—

22 (1) close all military installations recommended  
23 for closure by the Commission in the report trans-  
24 mitted to the Congress by the President pursuant to  
25 section 3003(i);

1           (2) realign all military installations rec-  
2           ommended for realignment by the Commission in the  
3           report;

4           (3) carry out the privatization in place of a  
5           military installation recommended for closure or re-  
6           alignment by the Commission only if privatization in  
7           place is a method of closure or realignment of the  
8           military installation specified in the recommenda-  
9           tions of the Commission in the report and is deter-  
10          mined by the Commission to be the most cost-effec-  
11          tive method of implementation of the recommenda-  
12          tion;

13          (4) initiate all such closures and realignments  
14          no later than two years after the date on which the  
15          President transmits the report to the Congress pur-  
16          suant to section 3003(i) containing the recommenda-  
17          tions for such closures or realignments;

18          (5) complete all such closures and realignments  
19          no later than the end of the five-year period begin-  
20          ning on the date on which the President transmits  
21          the report pursuant to section 3003(i) containing  
22          the recommendations for such closures or realign-  
23          ments; and

24          (6) develop a schedule and plan for the imple-  
25          mentation of the actions required by the preceding



1 paragraphs in a manner that maximizes efficiency  
2 and return on investment.

3 (b) CONGRESSIONAL DISAPPROVAL.—(1) The Sec-  
4 retary may not carry out any closure or realignment rec-  
5 ommended by the Commission in the report transmitted  
6 from the President pursuant to section 3003(i) if a joint  
7 resolution is enacted, disapproving such recommendations  
8 of the Commission before the earlier of—

9 (A) the end of the 45-day period beginning on  
10 the date on which the President transmits such re-  
11 port; or

12 (B) the adjournment of Congress sine die for  
13 the session during which such report is transmitted.

14 (2) For purposes of paragraph (1), the days on which  
15 either House of Congress is not in session because of ad-  
16 journment of more than three days to a day certain shall  
17 be excluded in the computation of a period.

18 **SEC. 3005. IMPLEMENTATION.**

19 (a) IN GENERAL.—(1) In closing or realigning any  
20 military installation under this title, the Secretary may—

21 (A) take such actions as may be described in  
22 the master plans for each approved recommendation  
23 to close or realign a military installation, including  
24 the acquisition of such land, the construction of such  
25 replacement facilities, the performance of such ac-

1        activities, and the conduct of such advance planning  
2        and design as may be required to transfer functions  
3        from a military installation being closed or realigned  
4        to another military installation, and may use for  
5        such purpose funds in the Account or funds appro-  
6        priated to the Department of Defense for use in  
7        planning and design, minor construction, or oper-  
8        ation and maintenance;

9            (B) provide—

10            (i) economic adjustment assistance to any  
11            community located near a military installation  
12            being closed or realigned, and

13            (ii) community planning assistance to any  
14            community located near a military installation  
15            to which functions will be transferred as a re-  
16            sult of the closure or realignment of a military  
17            installation,

18        if the Secretary of Defense determines that the fi-  
19        nancial resources available to the community (by  
20        grant or otherwise) for such purposes are inad-  
21        equate, and may use for such purposes funds in the  
22        Account or funds appropriated to the Department of  
23        Defense for economic adjustment assistance or com-  
24        munity planning assistance;

1 (C) carry out activities for the purposes of envi-  
2 ronmental restoration and mitigation at any such in-  
3 stallation, and shall use for such purposes funds in  
4 the Account.

5 (D) provide outplacement assistance to civilian  
6 employees employed by the Department of Defense  
7 at military installations being closed or realigned,  
8 and may use for such purpose funds in the Account  
9 or funds appropriated to the Department of Defense  
10 for outplacement assistance to employees; and

11 (E) reimburse other Federal agencies for ac-  
12 tions performed at the request of the Secretary with  
13 respect to any such closure or realignment, and may  
14 use for such purpose funds in the Account or funds  
15 appropriated to the Department of Defense and  
16 available for such purpose.

17 (2) In carrying out any closure or realignment under  
18 this title, the Secretary shall ensure that environmental  
19 restoration of any property made excess to the needs of  
20 the Department of Defense as a result of such closure or  
21 realignment be carried out as soon as possible with funds  
22 available for such purpose.

23 (b) MANAGEMENT AND DISPOSAL OF PROPERTY.—

24 (1) The Administrator of General Services shall delegate  
25 to the Secretary of Defense, with respect to excess and

1 surplus real property, facilities, and personal property lo-  
2 cated at a military installation closed or realigned under  
3 this title—

4 (A) the authority of the Administrator to utilize  
5 excess property under subchapter II of chapter 5 of  
6 title 40, United States Code;

7 (B) the authority of the Administrator to dis-  
8 pose of surplus property under subchapter III of  
9 chapter 5 of title 40, United States Code;

10 (C) the authority to dispose of surplus property  
11 for public airports under sections 47151 through  
12 47153 of title 49, United States Code; and

13 (D) the authority of the Administrator to deter-  
14 mine the availability of excess or surplus real prop-  
15 erty for wildlife conservation purposes in accordance  
16 with the Act of May 19, 1948 (16 U.S.C. 667b).

17 (2)(A) Subject to subparagraph (B) and paragraphs  
18 (3), (4), (5), and (6), the Secretary of Defense shall exer-  
19 cise the authority delegated to the Secretary pursuant to  
20 paragraph (1) in accordance with—

21 (i) all regulations governing the utilization of  
22 excess property and the disposal of surplus property  
23 under subtitle I of title 40, United States Code; and

24 (ii) all regulations governing the conveyance  
25 and disposal of property under section 13(g) of the

1 Surplus Property Act of 1944 (50 U.S.C. App.  
2 1622(g)).

3 (B) The Secretary may, with the concurrence of the  
4 Administrator of General Services—

5 (i) prescribe general policies and methods for  
6 utilizing excess property and disposing of surplus  
7 property pursuant to the authority delegated under  
8 paragraph (1); and

9 (ii) issue regulations relating to such policies  
10 and methods, which shall supersede the regulations  
11 referred to in subparagraph (A) with respect to that  
12 authority.

13 (C) The Secretary of Defense may transfer real prop-  
14 erty or facilities located at a military installation to be  
15 closed or realigned under this title, with or without reim-  
16 bursement, to a military department or other entity (in-  
17 cluding a nonappropriated fund instrumentality) within  
18 the Department of Defense or the Coast Guard.

19 (D) Before any action may be taken with respect to  
20 the disposal of any surplus real property or facility located  
21 at any military installation to be closed or realigned under  
22 this title, the Secretary of Defense shall consult with the  
23 Governor of the State and the heads of the local govern-  
24 ments concerned for the purpose of considering any plan

1 for the use of such property by the local community con-  
2 cerned.

3 (E) If a military installation to be closed, realigned,  
4 or placed in an inactive status under this title includes  
5 a road used for public access through, into, or around the  
6 installation, the Secretary of Defense shall consult with  
7 the Governor of the State and the heads of the local gov-  
8 ernments concerned or the purpose of considering the con-  
9 tinued availability of the road for public use after the in-  
10 stallation is closed, realigned, or placed in an inactive sta-  
11 tus.

12 (3)(A) Not later than 6 months after the date of ap-  
13 proval of the closure or realignment of a military installa-  
14 tion under this title, the Secretary, in consultation with  
15 the redevelopment authority with respect to the installa-  
16 tion, shall—

17 (i) inventory the personal property located  
18 at the installation; and

19 (ii) identify the items (or categories of  
20 items) of such personal property that the Sec-  
21 retary determines to be related to real property  
22 and anticipates will support the implementation  
23 of the redevelopment plan with respect to the  
24 installation.

1 (B) If no redevelopment authority referred to in sub-  
2 paragraph (A) exists with respect to an installation, the  
3 Secretary shall consult with—

4 (i) the local government in whose jurisdiction  
5 the installation is wholly located; or

6 (ii) a local government agency or State govern-  
7 ment agency designated for the purpose of such con-  
8 sultation by the chief executive officer of the State  
9 in which the installation is located.

10 (C)(i) Except as provided in subparagraphs (E) and  
11 (F), the Secretary may not carry out any of the activities  
12 referred to in clause (ii) with respect to an installation  
13 referred to in that clause until the earlier of—

14 (I) one week after the date on which the rede-  
15 velopment plan for the installation is submitted to  
16 the Secretary;

17 (II) the date on which the redevelopment au-  
18 thority notifies the Secretary that it will not submit  
19 such a plan;

20 (III) twenty-four months after the date of ap-  
21 proval of the closure or realignment of the installa-  
22 tion; or

23 (IV) ninety days before the date of the closure  
24 or realignment of the installation.

1           (ii) The activities referred to in clause (i) are activi-  
2 ties relating to the closure or realignment of an installa-  
3 tion to be closed or realigned under this title as follows:

4           (I) The transfer from the installation of items  
5 of personal property at the installation identified in  
6 accordance with subparagraph (A).

7           (II) The reduction in maintenance and repair of  
8 facilities or equipment located at the installation  
9 below the minimum levels required to support the  
10 use of such facilities or equipment for nonmilitary  
11 purposes.

12          (D) Except as provided in paragraph (4), the Sec-  
13 retary may not transfer items of personal property located  
14 at an installation to be closed or realigned under this title  
15 to another installation, or dispose of such items, if such  
16 items are identified in the redevelopment plan for the in-  
17 stallation as items essential to the reuse or redevelopment  
18 of the installation. In connection with the development of  
19 the redevelopment plan for the installation, the Secretary  
20 shall consult with the entity responsible for developing the  
21 redevelopment plan to identify the items of personal prop-  
22 erty located at the installation, if any, that the entity de-  
23 sires to be retained at the installation for reuse or redevel-  
24 opment of the installation.



1 (E) This paragraph shall not apply to any personal  
2 property located at an installation to be closed or realigned  
3 under this title if the property—

4 (i) is required for the operation of a unit, func-  
5 tion, component, weapon, or weapons system at an-  
6 other installation;

7 (ii) is uniquely military in character, and is  
8 likely to have no civilian use (other than use for its  
9 material content or as a source of commonly used  
10 components);

11 (iii) is not required for the reutilization or rede-  
12 velopment of the installation (as jointly determined  
13 by the Secretary and the redevelopment authority);

14 (iv) is stored at the installation for purposes of  
15 distribution (including spare parts or stock items);  
16 or

17 (v)(I) meets known requirements of an author-  
18 ized program of another Federal department or  
19 agency for which expenditures for similar property  
20 would be necessary; and

21 (II) is the subject of a written request by the  
22 head of the department or agency.

23 (F) Notwithstanding subparagraphs (C)(i) and (D),  
24 the Secretary may carry out any activity referred to in  
25 subparagraph (C)(ii) or (D) if the Secretary determines

1 that the carrying out of such activity is in the national  
2 security interest of the United States.

3 (4)(A) The Secretary may transfer real property and  
4 personal property located at a military installation to be  
5 closed or realigned under this title to the redevelopment  
6 authority with respect to the installation for purposes of  
7 job generation on the installation.

8 (B) The transfer of property located at a military in-  
9 stallation under subparagraph (A) may be for consider-  
10 ation at or below the estimated fair market value or with-  
11 out consideration. The determination of such consider-  
12 ation may account for the economic conditions of the local  
13 affected community and the estimated costs to redevelop  
14 the property. The Secretary may accept, as consideration,  
15 a share of the revenues that the redevelopment authority  
16 receives from third-party buyers or lessees from sales and  
17 long-term leases of the conveyed property, a portion of the  
18 profits obtained over time from the development of the  
19 conveyed property, consideration in kind (including goods  
20 and services), real property and improvements, or such  
21 other consideration as the Secretary considers appro-  
22 priate. The transfer of property located at a military in-  
23 stallation under subparagraph (A) may be made for con-  
24 sideration below the estimated fair market value or with-

1 out consideration only if the redevelopment authority with  
2 respect to the installation—

3 (i) agrees that the proceeds from any sale or  
4 lease of the property (or any portion thereof) re-  
5 ceived by the redevelopment authority during at  
6 least the first seven years after the date of the initial  
7 transfer of property under subparagraph (A) shall  
8 be used to support the economic redevelopment of,  
9 or related to, the installation; and

10 (ii) executes the agreement for transfer of the  
11 property and accepts control of the property within  
12 a reasonable time after the date of the property dis-  
13 posal record of decision or finding of no significant  
14 impact under the National Environmental Policy Act  
15 of 1969 (42 U.S.C. 4321 et seq.).

16 (C) For purposes of subparagraph (B)(i), the use of  
17 proceeds from a sale or lease described in such subpara-  
18 graph to pay for, or offset the costs of, public investment  
19 on or related to the installation for any of the following  
20 purposes shall be considered a use to support the economic  
21 redevelopment of, or related to, the installation:

22 (i) Road construction.

23 (ii) Transportation management facilities.

24 (iii) Storm and sanitary sewer construction.

1 (iv) Police and fire protection facilities and  
2 other public facilities.

3 (v) Utility construction.

4 (vi) Building rehabilitation.

5 (vii) Historic property preservation.

6 (viii) Pollution prevention equipment or facili-  
7 ties.

8 (ix) Demolition.

9 (x) Disposal of hazardous materials generated  
10 by demolition.

11 (xi) Landscaping, grading, and other site or  
12 public improvements.

13 (xii) Planning for or the marketing of the devel-  
14 opment and reuse of the installation.

15 (D) The Secretary may recoup from a redevelopment  
16 authority such portion of the proceeds from a sale or lease  
17 described in subparagraph (B) as the Secretary deter-  
18 mines appropriate if the redevelopment authority does not  
19 use the proceeds to support economic redevelopment of,  
20 or related to, the installation for the period specified in  
21 subparagraph (B).

22 (E)(i) The Secretary may transfer real property at  
23 an installation approved for closure or realignment under  
24 this title (including property at an installation approved  
25 for realignment which will be retained by the Department

1 of Defense or another Federal agency after realignment)  
2 to the redevelopment authority for the installation if the  
3 redevelopment authority agrees to lease, directly upon  
4 transfer, one or more portions of the property transferred  
5 under this subparagraph to the Secretary or to the head  
6 of another department or agency of the Federal Govern-  
7 ment. Subparagraph (B) shall apply to a transfer under  
8 this subparagraph.

9 (ii) A lease under clause (i) shall be for a term of  
10 not to exceed 50 years, but may provide for options for  
11 renewal or extension of the term by the department or  
12 agency concerned.

13 (iii) A lease under clause (i) may not require rental  
14 payments by the United States.

15 (iv) A lease under clause (i) shall include a provision  
16 specifying that if the department or agency concerned  
17 ceases requiring the use of the leased property before the  
18 expiration of the term of the lease, the remainder of the  
19 lease term may be satisfied by the same or another depart-  
20 ment or agency of the Federal Government using the prop-  
21 erty for a use similar to the use under the lease. Exercise  
22 of the authority provided by this clause shall be made in  
23 consultation with the redevelopment authority concerned.

24 (v) Notwithstanding clause (iii), if a lease under  
25 clause (i) involves a substantial portion of the installation,

1 the department or agency concerned may obtain facility  
2 services for the leased property and common area mainte-  
3 nance from the redevelopment authority or the redevelop-  
4 ment authority's assignee as a provision of the lease. The  
5 facility services and common area maintenance shall be  
6 provided at a rate no higher than the rate charged to non-  
7 Federal tenants of the transferred property. Facility serv-  
8 ices and common area maintenance covered by the lease  
9 shall not include—

10 (I) municipal services that a State or local gov-  
11 ernment is required by law to provide to all land-  
12 owners in its jurisdiction without direct charge; or

13 (II) firefighting or security-guard functions.

14 (F) The transfer of personal property under subpara-  
15 graph (A) shall not be subject to the provisions of sub-  
16 chapters II and III of chapter 5 of title 40, United States  
17 Code, if the Secretary determines that the transfer of such  
18 property is necessary for the effective implementation of  
19 a redevelopment plan with respect to the installation at  
20 which such property is located.

21 (G) The provisions of section 120(h) of the Com-  
22 prehensive Environmental Response, Compensation, and  
23 Liability Act of 1980 (42 U.S.C. 9620(h)) shall apply to  
24 any transfer of real property under this paragraph.

1 (H) The Secretary may require any additional terms  
2 and conditions in connection with a transfer under this  
3 paragraph as such Secretary considers appropriate to pro-  
4 tect the interests of the United States.

5 (5)(A) Except as provided in subparagraphs (B) and  
6 (C), the Secretary shall take such actions as the Secretary  
7 determines necessary to ensure that final determinations  
8 under paragraph (1) regarding whether another depart-  
9 ment or agency of the Federal Government has identified  
10 a use for any portion of a military installation to be closed  
11 or realigned under this title, or will accept transfer of any  
12 portion of such installation, are made not later than 6  
13 months after the date of approval of closure or realign-  
14 ment of that installation.

15 (B) The Secretary may, in consultation with the rede-  
16 velopment authority with respect to an installation, post-  
17 pone making the final determinations referred to in sub-  
18 paragraph (A) with respect to the installation for such pe-  
19 riod as the Secretary determines appropriate if the Sec-  
20 retary determines that such postponement is in the best  
21 interests of the communities affected by the closure or re-  
22 alignment of the installation.

23 (C)(i) Before acquiring non-Federal real property as  
24 the location for a new or replacement Federal facility of  
25 any type, the head of the Federal agency acquiring the

1 property shall consult with the Secretary regarding the  
2 feasibility and cost advantages of using Federal property  
3 or facilities at a military installation closed or realigned  
4 or to be closed or realigned under this title as the location  
5 for the new or replacement facility. In considering the  
6 availability and suitability of a specific military installa-  
7 tion, the Secretary and the head of the Federal agency  
8 involved shall obtain the concurrence of the redevelopment  
9 authority with respect to the installation and comply with  
10 the redevelopment plan for the installation.

11 (ii) Not later than 30 days after acquiring non-Fed-  
12 eral real property as the location for a new or replacement  
13 Federal facility, the head of the Federal agency acquiring  
14 the property shall submit to Congress a report containing  
15 the results of the consultation under clause (i) and the  
16 reasons why military installations referred to in such  
17 clause that are located within the area to be served by  
18 the new or replacement Federal facility or within a 200-  
19 mile radius of the new or replacement facility, whichever  
20 area is greater, were considered to be unsuitable or un-  
21 available for the site of the new or replacement facility.

22 (c) APPLICABILITY OF NATIONAL ENVIRONMENTAL  
23 POLICY ACT OF 1969.—(1) The provisions of the National  
24 Environmental Policy Act of 1969 (42 U.S.C. 4321 et  
25 seq.) shall not apply to the actions of the President, the



1 Commission, and, except as provided in paragraph (2), the  
2 Department of Defense in carrying out this title.

3 (2)(A) The provisions of the National Environmental  
4 Policy Act of 1969 shall apply to actions of the Depart-  
5 ment of Defense under this title (i) during the process of  
6 property disposal, and (ii) during the process of relocating  
7 functions from a military installation being closed or re-  
8 aligned to another military installation after the receiving  
9 installation has been selected but before the functions are  
10 relocated.

11 (B) In applying the provisions of the National Envi-  
12 ronmental Policy Act of 1969 to the processes referred  
13 to in subparagraph (A), the Secretary of Defense and the  
14 Secretary of the military departments concerned shall not  
15 have to consider—

16 (i) the need for closing or realigning the mili-  
17 tary installation which has been recommended for  
18 closure or realignment by the Commission;

19 (ii) the need for transferring functions to any  
20 military installation which has been selected as the  
21 receiving installation; or

22 (iii) military installations alternative to those  
23 recommended or selected.

24 (3) A civil action for judicial review, with respect to  
25 any requirement of the National Environmental Policy Act

1 of 1969 to the extent such Act is applicable under para-  
2 graph (2), of any act or failure to act by the Department  
3 of Defense during the closing, realigning, or relocating of  
4 functions referred to in clauses (i) and (ii) of paragraph  
5 (2)(A), may not be brought more than 60 days after the  
6 date of such act or failure to act.

7 (d) WAIVER.—The Secretary of Defense may close or  
8 realign military installations under this title without re-  
9 gard to—

10 (1) any provision of law restricting the use of  
11 funds for closing or realigning military installations  
12 included in any appropriations or authorization Act;  
13 and

14 (2) sections 2662 and 2687 of title 10, United  
15 States Code.

16 (e) TRANSFER AUTHORITY IN CONNECTION WITH  
17 PAYMENT OF ENVIRONMENTAL REMEDIATION COSTS.—

18 (1)(A) Subject to paragraph (2) of this subsection and sec-  
19 tion 120(h) of the Comprehensive Environmental Re-  
20 sponse, Compensation, and Liability Act of 1980 (42  
21 U.S.C. 9620(h)), the Secretary may enter into an agree-  
22 ment to transfer by deed real property or facilities referred  
23 to in subparagraph (B) with any person who agrees to  
24 perform all environmental restoration, waste management,  
25 and environmental compliance activities that are required

1 for the property or facilities under Federal and State laws,  
2 administrative decisions, agreements (including schedules  
3 and milestones), and concurrences.

4 (B) The real property and facilities referred to in  
5 subparagraph (A) are the real property and facilities lo-  
6 cated at an installation closed or to be closed, or realigned  
7 or to be realigned, under this title that are available exclu-  
8 sively for the use, or expression of an interest in a use,  
9 of a redevelopment authority under subsection (b)(6)(F)  
10 during the period provided for that use, or expression of  
11 interest in use, under that subsection. The real property  
12 and facilities referred to in subparagraph (A) are also the  
13 real property and facilities located at an installation ap-  
14 proved for closure or realignment under this title that are  
15 available for purposes other than to assist the homeless.

16 (C) The Secretary may require any additional terms  
17 and conditions in connection with an agreement author-  
18 ized by subparagraph (A) as the Secretary considers ap-  
19 propriate to protect the interests of the United States.

20 (2) A transfer of real property or facilities may be  
21 made under paragraph (1) only if the Secretary certifies  
22 to Congress that—

23 (A) the costs of all environmental restoration,  
24 waste management, and environmental compliance  
25 activities otherwise to be paid by the Secretary with

1       respect to the property or facilities are equal to or  
2       greater than the fair market value of the property  
3       or facilities to be transferred, as determined by the  
4       Secretary; or

5               (B) if such costs are lower than the fair market  
6       value of the property or facilities, the recipient of  
7       the property or facilities agrees to pay the difference  
8       between the fair market value and such costs.

9       (3) In the case of property or facilities covered by  
10      a certification under paragraph (2)(A), the Secretary may  
11      pay the recipient of such property or facilities an amount  
12      equal to the lesser of—

13              (A) the amount by which the costs incurred by  
14      the recipient of such property or facilities for all en-  
15      vironmental restoration, waste, management, and  
16      environmental compliance activities with respect to  
17      such property or facilities exceed the fair market  
18      value of such property or facilities as specified in  
19      such certification; or

20              (B) the amount by which the costs (as deter-  
21      mined by the Secretary) that would otherwise have  
22      been incurred by the Secretary for such restoration,  
23      management, and activities with respect to such  
24      property or facilities exceed the fair market value of  
25      such property or facilities as so specified

1 (4) As part of an agreement under paragraph (1),  
2 the Secretary shall disclose to the person to whom the  
3 property or facilities will be transferred any information  
4 of the Secretary regarding the environmental restoration,  
5 waste management, and environmental compliance activi-  
6 ties described in paragraph (1) that relate to the property  
7 or facilities. The Secretary shall provide such information  
8 before entering into the agreement.

9 (5) Nothing in this subsection shall be construed to  
10 modify, alter, or amend the Comprehensive Environmental  
11 Response, Compensation, and Liability Act of 1980 (42  
12 U.S.C. 9601 et seq.) or the Solid Waste Disposal Act (42  
13 U.S.C. 6901 et seq.).

14 (6) Section 330 of the National Defense Authoriza-  
15 tion Act for Fiscal Year 1993 (Public Law 102-484; 10  
16 U.S.C. 2687 note) shall not apply to any transfer under  
17 this subsection to persons or entities described in sub-  
18 section (a)(2) of such section 330, except in the case of  
19 releases or threatened releases not disclosed pursuant to  
20 paragraph (4).

21 **SEC. 3006. DEPARTMENT OF DEFENSE BASE CLOSURE AC-**  
22 **COUNT 2017.**

23 (a) ESTABLISHMENT.—

24 (1) If the Secretary makes the certifications re-  
25 quired under section 3003(b), there shall be estab-

1 lished on the books of the Treasury an account to  
2 be known as the “Department of Defense Base Clo-  
3 sure Account 2017”. The Account shall be adminis-  
4 tered by the Secretary as a single account.

5 (2) There shall be deposited into the Account—

6 (A) funds authorized for and appropriated  
7 to the Account;

8 (B) any funds that the Secretary may,  
9 subject to approval in an appropriation Act,  
10 transfer to the Account from funds appro-  
11 priated to the Department of Defense for any  
12 purpose, except that such funds may be trans-  
13 ferred only after the date on which the Sec-  
14 retary transmits written notice of, and justifica-  
15 tion for, such transfer to the congressional de-  
16 fense committees; and

17 (C) except as provided in subsection (d),  
18 proceeds received from the lease, transfer, or  
19 disposal of any property at a military installa-  
20 tion that is closed or realigned under this title.

21 (3) The Account shall be closed at the time and  
22 in the manner provided for appropriation accounts  
23 under section 1555 of title 31, United States Code.

24 (b) USE OF FUNDS.—

1           (1) The Secretary may use the funds in the Ac-  
2           count only for the purposes described in section  
3           3005 with respect to military installations approved  
4           for closure or realignment under this title.

5           (2) When a decision is made to use funds in the  
6           Account to carry out a military construction project  
7           under section 3005(a), of this title only military con-  
8           struction projects contained in the master plan for  
9           approved recommendations shall be carried out with-  
10          out regard to section 2802(a) of title 10, United  
11          States Code

12          (3) Except as provided by section 2853 of title  
13          10, United States Code, the cost and scope of work  
14          for a military construction project identified in a  
15          master plan for an approved recommendation may  
16          not be change.

17          (4) In the case of military construction projects  
18          that are not contained in the master plan for ap-  
19          proved recommendations, such construction projects  
20          shall be conducted in accordance with the applicable  
21          sections of chapter 169 of title 10, United States  
22          Code.

23          (c) REPORTS.—

24                 (1)(A) No later than 60 days after the end of  
25                 each fiscal year in which the Secretary carries out

1 activities under this title using amounts in the Ac-  
2 count, the Secretary shall transmit a report to the  
3 congressional defense committees of—

4 (i) the amount and nature of the de-  
5 posits into, and the expenditures from, the  
6 Account during such fiscal year;

7 (ii) the amount and nature of other  
8 expenditures made pursuant to section  
9 3005(a) during such fiscal year;

10 (iii) the amount and nature of antici-  
11 pated deposits to be made into, and the  
12 anticipated expenditures to be made from,  
13 the Account during the first fiscal year  
14 commencing after the submission of the re-  
15 port; and

16 (iv) the amount and nature of antici-  
17 pated expenditures to be made pursuant to  
18 section 3005(a) during the first fiscal year  
19 commencing after the submission of the re-  
20 port.

21 (B) The report for a fiscal year shall include  
22 the following:

23 (i) The obligations and expenditures from  
24 the Account during the fiscal year, identified by



1 subaccount and installation, for each military  
2 department and Defense Agency.

3 (ii) The fiscal year in which appropriations  
4 for such expenditures were made and the fiscal  
5 year in which finds were obligated for such ex-  
6 penditures.

7 (iii) Each military construction project for  
8 which such obligations and expenditures were  
9 made, identified by installation and project title.

10 (iv) A description and explanation of the  
11 extent, if any, to which expenditures for mili-  
12 tary construction projects for the fiscal year dif-  
13 fered from proposals for projects and funding  
14 levels that were included in the justification  
15 transmitted to Congress under section 3007(1),  
16 or otherwise, for the funding proposals for the  
17 Account for such fiscal year, including an expla-  
18 nation of—

19 (I) any failure to carry out military  
20 construction projects that were so pro-  
21 posed; and

22 (II) any expenditures for military con-  
23 struction projects that were not so pro-  
24 posed.

1 (v) An estimate of the net revenues to be  
2 received from property disposals to be com-  
3 pleted during the first fiscal year commencing  
4 after the submission of the report at military  
5 installations approved for closure or realign-  
6 ment under this title.

7 (2) No later than 60 days after the closure of  
8 the Account under subsection (a)(3), the Secretary  
9 shall transmit to the congressional defense commit-  
10 tees a report containing an accounting of—

11 (A) all the funds deposited into and ex-  
12 pended from the Account or otherwise expended  
13 under this title with respect to such installa-  
14 tions; and

15 (B) any amount remaining in the Account.

16 (d) DISPOSAL OR TRANSFER OF COMMISSARY  
17 STORES AND PROPERTY PURCHASED WITH NON-  
18 APPROPRIATED FUNDS.—(1) If any real property or facil-  
19 ity acquired, constructed, or improved (in whole or in part)  
20 with commissary store funds or nonappropriated funds is  
21 transferred or disposed of in connection with the closure  
22 or realignment of a military installation under this title,  
23 a portion of the proceeds of the transfer or other disposal  
24 of property on that installation shall be deposited in the  
25 reserve account established under section 204(b)(7)(C) of

1 the Defense Authorization Amendments and Base Closure  
2 and Realignment Act (10 U.S.C. 2687 note).

3 (2) The amount so deposited shall be equal to the  
4 depreciated value of the investment made with such funds  
5 in the acquisition, construction, or improvement of that  
6 particular real property or facility. The depreciated value  
7 of the investment shall be computed in accordance with  
8 regulations prescribed by the Secretary.

9 (3) The Secretary may use amounts in the reserve  
10 account for the purpose of acquiring, constructing, and  
11 improving—

12 (A) commissary stores; and

13 (B) real property and facilities for non-  
14 appropriated fund instrumentalities.

15 (4) As used in this subsection:

16 (A) The term “commissary store funds” means  
17 funds received from the adjustment of, or surcharge  
18 on, selling prices at commissary stores fixed under  
19 section 2685 of title 10, United States Code.

20 (B) The term “nonappropriated funds” means  
21 funds received from a nonappropriated fund instru-  
22 mentality.

23 (C) The term “nonappropriated fund instru-  
24 mentality” means an instrumentality of the United  
25 States under the jurisdiction of the Armed Forces

1 (including the Army and Air Force Exchange Serv-  
2 ice, the Navy Resale and Services Support Office,  
3 and the Marine Corps exchanges) which is conducted  
4 for the comfort, pleasure, contentment, or physical  
5 or mental improvement of members of the Armed  
6 Forces.

7 (e) ACCOUNT EXCLUSIVE SOURCE OF FUNDS FOR  
8 ENVIRONMENTAL RESTORATION PROJECTS.—Except for  
9 funds deposited into the Account under subsection (a),  
10 funds appropriated to the Department of Defense may not  
11 be used for purposes described in section 3005(a)(1)(C).  
12 The prohibition in this subsection shall expire upon the  
13 closure of the Account under subsection (a)(3).

14 (f) AUTHORIZED COST AND SCOPE OF WORK VARI-  
15 ATIONS.—(1) Subject to paragraphs (2) and (3), the cost  
16 authorized for a military construction project or military  
17 family housing project to be carried out using funds in  
18 the Account may not be increased or reduced by more than  
19 20 percent or \$2,000,000, whichever is less, of the amount  
20 specified for the project in the conference report to accom-  
21 pany the Military Construction Authorization Act author-  
22 izing the project. The scope of work for such a project  
23 may not be reduced by more than 25 percent from the  
24 scope specified in the most recent budget documents for  
25 the projects listed in such conference report.

1           (2) Paragraph (1) shall not apply to a military con-  
2 struction project or military family housing project to be  
3 carried out using funds in the Account with an estimated  
4 cost of less than \$5,000,000, unless the project has not  
5 been previously identified in any budget submission for the  
6 Account and exceeds the applicable minor construction  
7 threshold under section 2805 of title 10, United States  
8 Code.

9           (3) The limitation on cost or scope variation in para-  
10 graph (1) shall not apply if the Secretary of Defense  
11 makes a determination that an increase or reduction in  
12 cost or a reduction in the scope of work for a military  
13 construction project or military family housing project to  
14 be carried out using funds in the Account needs to be  
15 made for the sole purpose of meeting unusual variations  
16 in cost or scope. If the Secretary makes such a determina-  
17 tion, the Secretary shall notify the congressional defense  
18 committees of the variation in cost or scope not later than  
19 21 days before the date on which the variation is made  
20 in connection with the project or, if the notification is pro-  
21 vided in an electronic medium pursuant to section 480 of  
22 title 10, United States Code, not later than 14 days before  
23 the date on which the variation is made. The Secretary  
24 shall include the reasons for the variation in the notifica-  
25 tion.

1 **SEC. 3007. REPORTS.**

2 As part of the budget request for fiscal year 2019  
3 and for each fiscal year thereafter through fiscal year  
4 2029 for the Department of Defense, the Secretary shall  
5 transmit to the congressional defense committees—

6 (1) a schedule of the closure actions to be car-  
7 ried out under this title in the fiscal year for which  
8 the request is made and an estimate of the total ex-  
9 penditures required and cost savings to be achieved  
10 by each such closure and of the time period in which  
11 these savings are to be achieved in each case, to-  
12 gether with the Secretary's assessment of the envi-  
13 ronmental effects of such actions;

14 (2) a description of the military installations,  
15 including those under construction and those  
16 planned for construction, to which functions are to  
17 be transferred as a result of such closures, together  
18 with the Secretary's assessment of the environmental  
19 effects of such transfers;

20 (3) a description of the closure actions already  
21 carried out at each military installation since the  
22 date of the installation's approval for closure under  
23 this title and the current status of the closure of the  
24 installation, including whether—

25 (A) a redevelopment authority has been  
26 recognized by the Secretary for the installation;

1                   (B) the screening of property at the instal-  
2                   lation for other Federal use has been com-  
3                   pleted; and

4                   (C) a redevelopment plan has been agreed  
5                   to by the redevelopment authority for the in-  
6                   stallation;

7                   (4) a description of redevelopment plans for  
8                   military installations approved for closure under this  
9                   title, the quantity of property remaining to be dis-  
10                  posed of at each installation as part of its closure,  
11                  and the quantity of property already disposed of at  
12                  each installation;

13                  (5) a list of the Federal agencies that have re-  
14                  quested property during the screening process for  
15                  each military installation approved for closure under  
16                  this title, including the date of transfer or antici-  
17                  pated transfer of the property to such agencies, the  
18                  acreage involved in such transfers, and an expla-  
19                  nation for any delays in such transfers;

20                  (6) a list of known environmental remediation  
21                  issues at each military installation approved for clo-  
22                  sure under this title, including the acreage affected  
23                  by these issues, an estimate of the cost to complete  
24                  such environmental remediation, and the plans (and

1 timelines) to address such environmental remedi-  
2 ation; and

3 (7) an estimate of the date for the completion  
4 of all closure actions at each military installation ap-  
5 proved for closure or realignment under this title.

6 **SEC. 3009. RESTRICTION ON OTHER BASE CLOSURE AU-**  
7 **THORITY.**

8 (a) IN GENERAL.—Except as provided in subsection  
9 (c), during the period beginning on the date of the enact-  
10 ment of this title, and ending on April 15, 2018, this title  
11 shall be the exclusive authority for selecting for closure  
12 or realignment, or for carrying out any closure or realign-  
13 ment of, a military installation inside the United States.

14 (b) RESTRICTION.—Except as provided in subsection  
15 (c), none of the funds available to the Department of De-  
16 fense may be used, other than under this title, during the  
17 period specified in subsection (a)—

18 (1) to identify, through any transmittal to the  
19 Congress or through any other public announcement  
20 or notification, any military installation inside the  
21 United States as an installation to be closed or re-  
22 aligned or as an installation under consideration for  
23 closure or realignment; or

24 (2) to carry out any closure or realignment of  
25 a military installation inside the United States.



1 (c) EXCEPTION.—Nothing in this title affects the au-  
2 thority of the Secretary to carry out closures and realign-  
3 ments to which section 2687 of title 10, United States  
4 Code, is not applicable, including closures and realign-  
5 ments carried out for reasons of national security or a  
6 military emergency referred to in subsection (c) of such  
7 section.

8 **SEC. 3010. DEFINITIONS.**

9 As used in this title:

10 (1) The term “Account” means the Department  
11 of Defense Base Closure Account 2017 established  
12 by section 3006(a)(1).

13 (2) The term “BRAC round” means a base re-  
14 alignment and closure round authorized by—

15 (A) this title;

16 (B) the Defense Base Closure and Realign-  
17 ment Act of 1990 (part A of title XXIX of  
18 Public Law 101–510; 10 U.S.C. 2687 note); or

19 (C) title II of the Defense Authorization  
20 Amendments and Base Closure and Realign-  
21 ment Act (Public Law 100–526; 10 U.S.C.  
22 2687 note).

23 (3) The term “congressional defense commit-  
24 tees” means the Committee on Armed Services and  
25 the Committee on Appropriations of the Senate and

1 the Committee on Armed Services and the Com-  
2 mittee on Appropriations of the House of Represent-  
3 atives.

4 (4) The term “Commission” means the Defense  
5 Base Closure and Realignment Commission of 2017  
6 established by section 3002.

7 (5) The term “date of approval”, with respect  
8 to a closure or realignment of an installation, means  
9 the date on which the authority of Congress to dis-  
10 approve a recommendation of closure or realign-  
11 ment, as the case may be, of such installation under  
12 this title expires.

13 (6) The term “master plan” means a list of  
14 each facility action (including construction, develop-  
15 ment, conversion, or extension, any acquisition of  
16 land necessary to produce a complete and usable fa-  
17 cility or a complete and usable improvement to an  
18 existing facility) required to carry out a decision, in-  
19 cluding the scope, costs and timing of each construc-  
20 tion activity as documented in military construction  
21 project data justifications.

22 (7) The term “military installation” means a  
23 base, camp, post, station, yard, center, homeport fa-  
24 cility for any ship, or other activity under the juris-  
25 diction of the Department of Defense, including any

1 leased facility. Such term does not include any facil-  
2 ity used primarily for civil works, rivers and harbors  
3 projects, flood control, or other projects not under  
4 the primary jurisdiction or control of the Depart-  
5 ment of Defense.

6 (8) The term “realignment” includes any action  
7 which both reduces and relocates functions and civil-  
8 ian personnel positions but does not include a reduc-  
9 tion in force resulting from workload adjustments,  
10 reduced personnel or funding levels, or skill imbal-  
11 ances.

12 (9) The term “redevelopment authority”, in the  
13 case of an installation to be closed or realigned  
14 under this title, means any entity (including an enti-  
15 ty established by a State or local government) recog-  
16 nized by the Secretary of Defense as the entity re-  
17 sponsible for developing the redevelopment plan with  
18 respect to the installation or for directing the imple-  
19 mentation of such plan.

20 (10) The term “redevelopment plan” in the  
21 case of an installation to be closed or realigned  
22 under this title, means a plan that—

23 (A) is agreed to by the local redevelopment  
24 authority with respect to the installation; and

1 (B) provides for the reuse or redevelop-  
2 ment of the real property and personal property  
3 of the installation that is available for such  
4 reuse and redevelopment as a result of the clo-  
5 sure or realignment of the installation.

6 (11) The term “representative of the homeless”  
7 has the meaning given such term in section  
8 501(i)(4) of the Stewart B. McKinney Homeless As-  
9 sistance Act (42 U.S.C. 11411(i)(4)).

10 (12) The term “Secretary” means the Secretary  
11 of Defense.

12 (13) The term “United States” means the 50  
13 States, the District of Columbia, the Commonwealth  
14 of Puerto Rico, Guam, the United States Virgin Is-  
15 lands, American Samoa, and any other common-  
16 wealth, territory, or possession of the United States.

17 **SEC. 3011. TREATMENT AS A BASE CLOSURE LAW FOR PUR-**  
18 **POSES OF OTHER PROVISIONS OF LAW.**

19 (a) DEFINITION OF “BASE CLOSURE LAW” IN TITLE  
20 10.—Section 101(a)(17) of title 10, United States Code,  
21 is amended by adding at the end the following new sub-  
22 paragraph:

23 “(D) The Defense Base Closure and Re-  
24 alignment Act of 2014.”.

1 (b) DEFINITION OF “BASE CLOSURE LAW” IN  
2 OTHER LAWS.—

3 (1) Section 131(b) of Public Law 107–249 (10  
4 U.S.C. 221 note) is amended by striking “means”  
5 and all that follows and inserting “has the meaning  
6 given the term ‘base closure law’ in section  
7 101(a)(17) of title 10, United States Code.”.

8 (2) Section 1334(k)(1) of the National Defense  
9 Authorization Act for Fiscal Year 1994 (Public Law  
10 103-160; 10 U.S.C. 2701 note) is amended by add-  
11 ing at the end the following new subparagraph:

12 “(C) The Defense Base Closure and Re-  
13 alignment Act of 2014.”.

14 (3) Section 2918(a)(1) of the National Defense  
15 Authorization Act for Fiscal Year 1994 (Public Law  
16 103–160; 10 U.S.C. 2687 note) is amended by add-  
17 ing at the end the following new subparagraph:

18 “(C) The Defense Base Closure and Re-  
19 alignment Act of 2014.”.

20 **SEC. 3012. CONFORMING AMENDMENTS.**

21 (a) DEPOSIT AND USE OF LEASE PROCEEDS.—Sec-  
22 tion 2667(e) of title 10, United States Code, is amended—

23 (1) in paragraph (5), by striking “on or after  
24 January 1, 2005,” and inserting “from January 1,  
25 2005 through December 31, 2005,”; and

1           (2) by adding at the end the following new  
2           paragraph:

3           “(6) Money rentals received by the United States  
4           from a lease under subsection (g) at a military installation  
5           approved for closure or realignment under the Defense  
6           Base Closure and Realignment Act of 2014 shall be depos-  
7           ited into the account established under section 3006 of  
8           such Act.”.

9           (b) REQUESTS BY PUBLIC AGENCIES FOR PROPERTY  
10          FOR PUBLIC AIRPORTS.—Section 47151(g) of title 49,  
11          United States Code, is amended by striking “section 2687  
12          of title 10, section 201 of the Defense Authorization  
13          Amendments and Base Closure and Realignment Act (10  
14          U.S.C. 2687 note), or section 2905 of the Defense Base  
15          Closure and Realignment Act of 1990 (10 U.S.C. 2687  
16          note)” and inserting “a base closure law, as that term is  
17          defined in section 101(a)(17) of title 10,”.

18          (c) RESTORED LEAVE.—Section 6304(d)(3)(A) of  
19          title 5, United States Code, is amended by striking “the  
20          Defense Base Closure and Realignment Act of 1990 (part  
21          A of title XXIX of Public Law 101–510; 10 U.S.C. 2687  
22          note)” and inserting “a base closure law, as that term is  
23          defined in section 101(a)(17) of title 10,”.

