

104TH CONGRESS
1ST SESSION

H. R. 1265

To amend the base closure laws to require Federal agencies that desire to acquire excess or surplus property resulting from the closure or realignment of military installations to agree to retain possession of, and to use, such property for agency purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 1995

Mr. ROHRBACHER (for himself, Mr. DORNAN, and Mr. ROYCE) introduced the following bill; which was referred to the Committee on National Security

A BILL

To amend the base closure laws to require Federal agencies that desire to acquire excess or surplus property resulting from the closure or realignment of military installations to agree to retain possession of, and to use, such property for agency purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CONDITION ON TRANSFER OF BASE CLOSURE**

4 **PROPERTIES TO FEDERAL AGENCIES.**

5 (a) **BASE CLOSURES UNDER 1988 ACT.**—Section
6 204(b)(5) of the Defense Authorization Amendments and
7 Base Closure and Realignment Act (Public Law 100–526;

1 10 U.S.C. 2687 note) is amended by adding at the end
2 the following new subparagraph:

3 “(C) The Secretary may not transfer any portion of
4 a military installation to be closed or realigned under this
5 title to another department or agency of the Federal Gov-
6 ernment unless the head of such department or agency
7 agrees to retain possession of, and to use, the transferred
8 property for agency purposes. Property transferred under
9 this title to another department or agency of the Federal
10 Government may not be sold or used by such department
11 or agency in any property exchange.”.

12 (b) BASE CLOSURES UNDER 1990 ACT.—Section
13 2905(b)(5) of the Defense Base Closure and Realignment
14 Act of 1990 (part A of title XXIX of Public Law 101–
15 510; 10 U.S.C. 2687 note) is amended by adding at the
16 end the following new subparagraph:

17 “(C) The Secretary may not transfer any portion of
18 a military installation to be closed or realigned under this
19 part to another department or agency of the Federal Gov-
20 ernment unless the head of such department or agency
21 agrees to retain possession of, and to use, the transferred
22 property for agency purposes. Property transferred under
23 this part to another department or agency of the Federal
24 Government may not be sold or used by such department
25 or agency in any property exchange.”.

1 (c) APPLICATION OF AMENDMENTS.—(1) The
2 amendments made by this section shall apply with respect
3 to any transfer, made after the date of the enactment of
4 this Act under a base closure law, of a portion of a mili-
5 tary installation to another department or agency of the
6 Federal Government. However, the second sentence of
7 such amendments shall also apply to such a transfer made
8 before or on such date.

9 (2) For purposes of this subsection, the term “base
10 closure law” means—

11 (A) the Defense Base Closure and Realignment
12 Act of 1990 (part A of title XXIX of Public Law
13 101–510; 10 U.S.C. 2687 note); and

14 (B) title II of the Defense Authorization
15 Amendments and Base Closure and Realignment
16 Act (Public Law 100–526; 10 U.S.C. 2687 note).

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